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NATIONAL MUNICIPAL REVIEW

- The County Convention
- An Answer to Bigness?
- Town Meeting U. S. A. — *Editorial*
- Home Rule in Louisiana

Many to Attend
Memphis Meeting

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News of the League

Many to Attend Memphis Meeting

As plans for the National Conference on Government in Memphis, November 11 to 14, neared completion, a large attendance of citizen leaders and authorities from all parts of the country was assured.

Program emphasis on practical ways to strengthen local and state government to deal effectively with metropolitan area problems and to increase the effectiveness of citizen action is proving a strong attraction.

Many other major current problems of government and citizenship will be discussed in a score of sessions.

Luncheon speakers will include Mayor R. L. Thornton of Dallas, president of the Mercantile Bank of Dallas, and H. Bruce Palmer, president of the Mutual Benefit Life Insurance Company, Newark, New Jersey. Both have had extensive experience in civic affairs and been highly successful in inducing other lay citizens to assume greater public responsibilities.

Among the more than 100 speakers



R. L. Thornton



H. Bruce Palmer

and participants in other sessions of the Conference there will be state and local officials, college presidents, political scientists and business and civic leaders from all parts of the country. Among those already enrolled are:

Thomas Graham, president, The Bankers Bond Company, Louisville, member of League's Council; Robert Siff, director, Wisconsin Department of Industrial Development; Colonel Henry J. Stites, Stites & Stites, Louisville; Mabel Walker, executive director, Tax Institute; James E. Lash, executive vice president, ACTION;

Also, Coleman Woodbury, planning consultant, West Cornwall, Connecticut; George Duggar, University of California, Berkeley; Charles T. Stewart, National Association of Real Estate Boards; George A. Shipman, University of Washington; John D. Moseley, president, Austin College, Sherman, Texas; Donald G. Herzberg, administrative deputy, New York State Division of the Budget; Charlton F. Chute, assistant director, Institute of Public Administration, New York; Glenn R. Winters, secretary-treasurer, American Judicial

(Continued on next page)

Make Reservations Early

Reservations should be made as early as possible by persons planning to attend the National Conference on Government November 11 to 14 in Memphis.

They should be made directly with the Peabody Hotel, Conference headquarters, which has set aside rooms to cover normal attendance. Late comers will be housed in nearby hotels.

Conference

(Continued from preceding page)

ture Society; Richard S. Childs, chairman, League's Executive Committee; E. Lynn Crossley, Dallas city auditor;

Also, Francis A. Harrington, vice president, Massachusetts Protective Association, member of League's Council; Victor C. Hobday, executive director, Municipal Technical Advisory Service, University of Tennessee; Frank C. Moore, president, Government Affairs Foundation, member League's Council; Luther Gulick, president, Institute of Public Administration, former city administrator of New York City; David W. Knepper, University of Houston; Arthur W. Bromage, University of Michigan, member League's Council; Orin F. Nolting, executive director, International City Managers' Association; Charles F. Spencer, president, East Central State College, Ada, Oklahoma.

The jury to select the All-America Cities for 1956 will, as heretofore, be headed by George H. Gallup, president of the League.

Court House Square is a 100-year-old park in the heart of downtown Memphis, site of the National Conference on Government.



Mrs. Carl H. Pforzheimer

League Benefactor

Mrs. Lily Oppenheimer Pforzheimer, wife of Carl H. Pforzheimer, investment banker and treasurer of the National Municipal League since 1922, died suddenly July 31.

One of the original directors of the Metropolitan Opera Guild, Mrs. Pforzheimer was active in the New York chapter of the American Red Cross and in other organizations and, like her husband, was a prominent civic leader in New York and in Westchester County, New York. She was vice president and trustee of the Carl and Lily Pforzheimer Foundation, the generous support of which assisted in the acquisition of the League's building and in the conduct of the League's program.

The building was named the Carl H. Pforzheimer Building in recognition of Mr. Pforzheimer's long service to the League and to general civic betterment.

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Editorial Comment

Town Meeting U.S.A.

THE League's annual National Conference on Government, which this year will be held November 11-14 in Memphis, has been called "Town Meeting U.S.A." This designation attests to the enduring appeal of the town meeting idea.

There are few communities in which it is still possible to assemble all the voters for face-to-face discussion and action on community affairs. It has always been manifestly impossible so to assemble the voters of any state or of the nation. Yet there are values in the town meeting that need not be entirely lost.

Many of those who regularly attend the National Conference on Government report that they find in it some of the virtues of the old town meeting. It is, of course, not an assembly of the citizens of a particular community. It is rather a voluntary coming together of citizens of many states and communities who find it worth while to discuss face to face their common stake in the good government of the 48 states, of the 3,000 odd counties and of the still more thousands of cities and towns and villages that make up the nation.

As in the strictly local town meeting of a simpler day, everyone who attends is on an equal footing with a right to a voice in the proceedings regardless of differences in occupation, title or experience. Some foreign observers at Conferences have commented with wonder at the uninhibited way in which officials of state and local governments, distinguished professors of political science, heads

of large corporations, housewives and other citizens trade ideas, express disagreements and quite evidently enjoy the process of learning from one another.

Of course the National Conference does not, like a local town meeting, enact ordinances, impose rates or even adopt resolutions. Yet the progress of state and local government during the last 62 years has been greatly influenced by the ideas that have been generated at these Conferences.

The National Conference on Government bears some resemblance to another institution which used to be common in many parts of the country. Anyone who wanders into the room where the jury to select the All-America Cities hears reports of civic action and regeneration may be struck with the thought that here is something like the old religious "experience meeting," where people testified for their individual and mutual benefit to personal spiritual rebirth or improvement. The same technique of helping others by relating successful or beneficial experiences in civic betterment is used not only in the All-America Cities hearings but also in most of the other organized Conference sessions and in innumerable unorganized get-togethers at the Conference hotel.

Many old members of "Town Meeting U.S.A." have signified their intention of being in Memphis. They look forward to meeting one another and also to meeting the many new members who will be showing up for the first time.

Passing the Buck

ONE of the surest ways of losing a buck is to pass it over to somebody else to spend. One of the surest ways of losing control over your own affairs is to let somebody else do for you what you could do for yourself as well or better.

That this applies to organizations and governments as well as to individuals is suggested by Edward F. Holter of Middletown, Maryland, in a piece entitled "Government Is Your Business!" on the Lecturer's Page of the May 1956 number of *The National Grange Monthly*. Some of Mr. Holter's thoughts are conveyed by the following excerpts:

"Generally speaking we form ourselves into groups or organizations to do those things jointly that we cannot accomplish best as individuals. What we cannot do as groups or organizations we ask government to do, first local government. If local government cannot do the job, then we look to state government. If state government cannot do the job, or fails to do it, then we look to federal government. . . .

"There has been an alarming tend-

ency on the part of local and state governments to pass their problems on to the federal government. The theory apparently is, if the state does it the local people will not have to provide the money; if the federal government does it, then the state will not have to provide the money. Actually, the further the government is from the local people the greater the total cost. . . .

"It is also true that generally speaking the further their government is from the people the less their interest in it. . . .

"The government belongs to those who take an interest in it. . . .

"Voting is a privilege our sons have fought for, fought to secure and maintain. We dare not take it lightly or fail to exercise our opportunity to vote, a privilege so many people in the world do not enjoy. To be a citizen of this great country is a priceless heritage. It carries responsibilities, keeping ourselves informed, voting in elections, and indeed serving in public office as the need may indicate. *'The government belongs to those who take an interest in it.'*"

The County Convention

Farmer's wife goes as delegate and learns a lesson about the democratic process and smoke-filled room.

By MARY SUE GARNER STAIG*

IT WAS going to be fun—great, wholesome joy—the democratic process—the expression of human will—the reality of the consent of the governed. That's what I thought when I was elected delegate from Precinct 8 to the county convention of the party. Sure, I had heard of smoke-filled rooms, but this was the people who, if they spoke, could override the smoke-filled room every time. And they had selected as their delegate ME.

ME, a farmer's wife, from a precinct of only 60 eligible voters. Yet I had my credentials and instructions just like the big boys. The instructions: Support the two-thirds rule for nominating conventions. Support Mr. "X" as chairman of the state delegation to the national convention. Oppose a loyalty-oath requirement in the party.

The grass roots had spoken and would be heard, one small voice expressing the will of 60 individual human beings. This is the way WE want it. This is the decision reached by a precinct convention held in a small, plain farm home off the pavement, back in the cedarbrakes. But the machinery of American democ-

racy functions even there—the precinct convention for 60 voters. I represent those voters. I represent their will, which shall be fed into the tributaries of the great stream of human will that is the machinery of democracy.

Today I take that expression to the larger stream which is the county convention. The vote will be tight but that is wholesome, functional democracy. The delegates, each one of us, will be seated as delegates, our credentials approved. We will speak with the authority of the people. We will be governed in our actions by party rule, by law, by the commandments of human decency and dignity, for we seek to express the will of humanity. We will make motions, second them, discuss them, bring them to a vote—the decision here being not that of 60 voters, but of 3,000 voters, expressed, embodied, for all men of all time to see. The decision of the county convention will merge with that of all the other counties of Texas into the state convention, and the state convention will merge with those of all the other states into the national convention. Thus the policies of nations are formed.

But it all begins in the small, plain farm home, off the pavement, back in the cedarbrakes. This is democracy.

This is what? This is not democracy which I encounter at the county

* Mrs. M. S. Staig, an instructor in social science at Tarleton State College in Stephenville, Texas, received her B.S. in business management from the University of Oklahoma in 1942 and her M.A. in social sciences at North Texas State College in 1956.

convention. All in proper tradition, the leaders of the two factions of the party have met the night before and have compromised—or shall we be blunt about it—made a deal.

A tight vote? No—no real vote at all. The decision was made yesterday—"Your faction will select the chairman, my faction will select a delegate. You don't quibble about certification of our delegates and we won't quibble about the certification of your delegates." I wasn't there, but so the trade must have gone.

Democratic Process?

The convention went like this. The chairman called the meeting to order and introduced a speaker who was not a delegate. (At least I think he was not a delegate, but since certification was never made, who can be sure?) He spoke about unity, party harmony and many et ceteras, and he suggested the leader of one faction be elected as permanent chairman. A voice from the rear snatches the clue—"I so move."

"Second."

"Allin favor."

"Allopposed."

"Motioncarried."

The chairman (now elected by democratic process) says, "Nominations are now in order for secretary." In my ignorance I made a nomination. It was seconded by another delegate who must have been as far in the dark as I was. The voice-from-the-rear: "Will you please withdraw that nomination?" In my befuddlement I asked "Why?" There was no answer from the voice-from-the-rear, but my nominee withdrew. The secretary was duly elected without opposition.

The chairman presented the names of the committee members—a credentials committee, a delegation committee, a resolutions committee. In a matter of moments the committees withdrew to parts unknown. To whom should I, the ignorant but well meaning delegate, deliver the resolutions of the precinct convention?

No matter now. Here are the committees back again.

The credentials committee reports: "Delegate votes have been ascertained. I could read the list—"

The voice-from-the-rear: "We don't need to wade through all that—I move the report be accepted as written."

"Second."

"Allin favor."

"Allopposed."

"Motioncarried."

I raise a question concerning the number of voters a precinct must have in order to seat one delegate. I am informed by the chairman that I am mistaken. O.K. I know I'm new at this business. But now I am almost despondent. I know many people are in the room who are not delegates. I know that some are voting. I don't know who is a delegate. I don't know the members of my faction—"We don't need to wade through all that."

How could I know? No faction needs me. I'm the lone delegate from a precinct of 60 voters. I'm from the cedarbrakes. But so are enough delegates somewhere in this room to cast deciding votes—enough probably to control this convention and make the will of the people prevail.

How can I find these strangers—these farmers who don't meet the

public every day in the course of business and who therefore are not familiar faces even to each other. I must find them—democracy hangs in the balance. I know we are being sidetracked (the use of a railroad term is appropriate). All this flashes through my alert but ignorant brain.

But no time for contemplation. The delegation committee is making its report. Five men are nominated as delegates to the state convention—plus five alternates. The ten names are presented at "red ball" pace and the committee chairman without letting his voice fall adds, "I move the adoption of the committee action."

"Second."

"Allin favor."

"Allopposed."

"Motioncarried."

Who are these men? I know most of them in their business capacity, but I'm just a farmer's wife; I can't know their politics. Who and what will they support at the state convention? I don't know—I don't know—yet they represent me and Precinct 8—60 small, precious votes.

I must stop this—but how? The

resolutions committee is reporting—the chairman prating from a three-page typewritten manuscript of whereases and unity and harmony and party and unit-rule and "I move the adoption of the work of the committee."

"Second."

"Allin favor."

"Allopposed."

"Motioncarried."

Finally the chairman is kind and gracious in thanking the delegates who made this manifestation of democracy possible and the meeting is adjourned.

What happened to Precinct 8? Where is the support for the two-thirds rule in nominating conventions? Where is the support for Mr. "X"? Where is the opposition to loyalty oaths? Where? Locked in the sealed lips of me—the delegate from Precinct 8.

Why? Because Precinct 8 was represented at the county convention by her delegate, but the deal was made at the meeting the night before, to which the delegate from Precinct 8 was not invited.

An Answer to Bigness?

Sea Gate, private community within New York City, has manager under board to provide special services.

By NORMAN BLACHER*

THE origin and growth of Sea Gate was not specifically designed as a device to improve local government. Its example may serve as a point of departure, however, from which other communities could adapt the Sea Gate pattern to help solve local problems. This community offers an approach to the unwieldiness of big city government and to the dilemma which plagues communities in the populous metropolitan areas in the United States. It provides a small community, in the country's largest city, with some of the tools to govern itself and to guide its destiny. Sea Gate provides its residents with attractive and luxury services which could not be obtained from the larger unit of government—New York City.

A private residential community which is governmentally a part of New York City and Kings County (Brooklyn), Sea Gate had its historical beginnings in 1892. At that time the Norton Point Land Company began construction of a private residential community which was named Sea Gate. This company purchased the westerly tip of Coney Island, bounded by the Atlantic Ocean on one side and Gravesend Bay on the

other and laid out streets, sewers and sidewalks. During the next seven years the company built and sold various homes and constructed community facilities.

In 1899, a number of property owners decided to buy out the Norton Point Land Company. On July 15, 1899 a certificate of incorporation was issued by New York State for the formation of a private corporation known as the Sea Gate Association which, according to Article II of the by-laws, stated that the objects for which the association was formed were: "The mutual comfort and convenience of its members; to provide and maintain suitable means of access between properties of its members and suitable sanitary arrangements for the comfort and health; to contract for suitable means of transportation to or between the borough of Manhattan or other places and Sea Gate; to provide and maintain open places on the beach or elsewhere at Sea Gate for the common use of its members; to provide generally for the care, protection and maintenance of the property at Sea Gate of its members and to promote social intercourse among its members and, to ends aforesaid, to acquire, take hold and dispose of such property, real and personal, as the purposes of the association may require, subject to such limitations as may be prescribed by law."

* Mr. Blacher is community manager of Sea Gate, a private corporation within New York City, of which he writes. Mr. Blacher was formerly senior administrative analyst with Kansas City, Missouri, and training program coordinator with the Bureau of Government Research, University of Kansas.

Sea Gate is blessed by nature with swimming beaches which extend for approximately three-fourths of a mile. Because of its seaside location and easy accessibility to other parts of New York City, the community offers attractions for comfortable living which are hard to duplicate in the city. Sea Gate covers about a quarter of a square mile or approximately 150 acres. There are 649 dwellings with a New York City assessed valuation of \$9,153,275; 134 are one-family houses, 244 two-family houses, and 110 three-family houses. The remaining 161 dwellings contain more than three families.

Concentrated in one area are a garage, luncheonette, food market, dry-cleaning store, barber shop and beauty salon. In addition, besides the community facilities owned by the Sea Gate Association, there are a synagogue, a Coast Guard lighthouse and a Navy radar station.

The association is responsible for the maintenance and repair of approximately four and a half miles of streets and nine miles of sidewalks. In addition, a complete sewer system which discharges into New York City sewer lines is under its supervision. Community facilities owned and operated by the association include: offices, police lodge, police booths, chapel and town hall, Riviera, beach utility building, cabanas, beaches, parking lots, ball park, maintenance yard and Lindberg Park.

The by-laws of the association provide that the governing body of Sea Gate is the association. Functions of the board of directors are comparable to those of a city council in a legally incorporated town or village.

Services rendered include all municipal activities except fire and health protection and street lighting, which are provided by the City of New York.

Membership in the association is open to all Sea Gate property owners.

Article III of the original by-laws provides that: "The property and affairs of this association shall be managed by nine directors, all of whom shall be members of the association, and who shall be elected in classes of three in each year, at the annual election of the association, each class to serve for a term of three years from the date of the annual election, or until successors be elected." The by-laws have been subsequently revised and during the years the number of directors have been increased first to eleven, then to fifteen and, at the annual meeting of 1954, to eighteen. Annually, the board, prior to November 1, elects from its members a president, vice president, secretary and treasurer.

Standing Committees

Originally, the by-laws called for five standing committees composed of board members: finance, grounds, transportation, rules and legal. With the increase in the number of board members, additional committees were established. This list now includes: grounds, rules, legal, public relations, office and procedures, finance, public health, building standards, budget, sanitation and sewers, and beach improvements.

The board of directors makes all policy decisions and is responsible for the management of the entire community. The position of com-

munity manager was established in 1954 and the manager has duties similar to those of a city manager in an incorporated town or village. He is appointed by the board and serves at its pleasure. All administrative and management responsibilities are assumed by the manager and he is solely responsible to the board for the proper implementation of all policies adopted by it.

Duties of Officers

The president presides at all meetings of the association and at regular board meetings. He, with the secretary, signs all written contracts and obligations of the association except bank drafts and exercises other functions which are comparable to those performed by a mayor of an incorporated community.

In the absence or disability of the president, the vice president performs the duties of the president, subject to the direction and control of the board of directors.

The secretary keeps the minutes and records of the association and conducts its correspondence and that of the directors. In addition, the secretary signs all written contracts and obligations except bank checks and has custody of the association's seal.

Collection of moneys and custody of all funds is vested with the treasurer. He, as a member of the finance committee, signs all checks and pays all bills.

The annual meeting (town meeting) of the association is held on the second Monday of September every year. This meeting is held primarily for the election of new board members and for a general review of com-

munity activities. Each member is entitled to one vote for each \$100 of assessed valuation of property owned by him. At each annual or special meeting, nine members, owning not less than 100 lots, constitute a quorum. Nominations for directors to replace the outgoing class and to fill vacancies are made either by a nominating committee or independently by any ten members. Members may be represented at any meeting or may vote at any election by a legally constituted attorney (proxy).

Special meetings may be called by the president at any time, for the consideration of any specific subject, at the written request of twenty members. Directors must meet quarterly and as often as they think necessary. A board meeting is usually held every two weeks. The by-laws require that each standing committee of the board meet monthly and that two members of the committee constitute a quorum. On the first Monday of December of each year, the association holds an annual budget meeting for all members at which the budget for the next calendar year is thoroughly discussed. By-laws may be repealed, altered or amended at any meeting by a vote of two-thirds of the voting strength of the members present.

Although only property owners can participate officially in affairs of the Sea Gate Association, tenants are represented by their respective landlords. Property owners must satisfy their tenants in order to be in a position to keep their properties rented. In other words, while tenants have no legal voice in the government of Sea Gate, their wishes are carried out.

The corporate charter spells out

the purpose, functions and governmental operations of the association. Sea Gate is subject to all the statutes of New York State regulating non-profit private organizations. Besides the charter, the association has been able to obtain special police powers from the state legislature. Chapter 240 of the Laws of 1942, which amended Chapter 391 of the Laws of 1940, provides that "Sea Gate Association policemen shall have the same powers within the limits of the said area and grounds heretofore or hereafter owned, leased or controlled by such corporation or its successors and assigns, as vested in peace officers of the city wherein such grounds are located." In other words, Sea Gate Association policemen have the same powers as New York City policemen.

Courts Uphold Plan

Through the years, there have been a series of court cases which have defined the role of the association in acting as the community's governing body. Practically all decisions have been decided in its favor.

The most recent case, the *Sea Gate Association vs. Pauline Sexter*, establishes the legal right of the association to collect annual maintenance charges from all property owners. This decision, rendered on December 1, 1954, represents a substantial victory for the association and strengthens both its legal and financial position. Its significant part reads:

"There should be no question any longer of the propriety and legal right of the Sea Gate Association to assess and collect from the owners of Sea Gate property payment of a pro-

portionate share of the cost of services rendered by the association to the community as a condition attached to the enjoyment of the easements to the beach and streets."

The court's decision stated that all these facilities are used in common by the owners of Sea Gate property and the expense of maintaining them is assessed proportionately against each property owner. The defendant in the Sexter case had contended that she did not request the services nor did she consent to accept or pay for them. The court overruled this defense by a unanimous decision.

Besides the Sexter case, which is probably the most important decision in the association's history, there have been other court tests of its legality. The decisions in these cases have stated basically that the association is a legal governing body which can promulgate reasonable regulations to protect the private nature of Sea Gate. Streets, sewers and beaches have been considered as private property in all decisions.

Annually, the Sea Gate Association spends approximately \$250,000. The main source of income is the annual collection of dues (members) and charges (non-members). Approximately 75 per cent of all income is represented by the property tax levy. For each \$100 of assessed valuation on each improved and unimproved parcel of real estate, the association collects \$2.00. The \$2.00 levy has remained constant since 1950. The assessment used is the same one used by the City of New York. It should be pointed out that all Sea Gate residents pay the regular property tax to New York City,

besides which they must pay the Sea Gate charges.

Regulatory licenses also provide revenue. All tradesmen conducting a regular business in Sea Gate must purchase a license and all residents owning automobiles must purchase an automobile license.

Approximately 62 per cent of all expenditures are for payroll expenses. In 1955, \$152,289 was spent for this purpose, of which \$133,347 represented salaries to regular and seasonal employees. The remaining \$18,942 was for pensions, workmen's compensation insurance, social security and union expenses.

Other types of regular expenditures include: office expenses (printing, postage and telephone services), legal services, auditing, insurance and damage claims, real estate taxes on Sea Gate Association property (not exempt from New York City real estate taxes), maintenance department and police department supplies, repairs and purchase of new equipment and facilities.

With the adoption of the community manager plan of government in 1954, the administrative organization and management of the Sea Gate Association changed. The manager coordinates all municipal activities, supervises all personnel and has the power to hire and fire employees. He makes administrative and management decisions based upon the policy of the board, attends all board meetings and advises the board of matters which should be discussed, and performs services such as public relations, planning, financial analyses and reporting.

The permanent office staff consists

of three employees—bookkeeper, secretary and switchboard operator. This staff is responsible for the collection of funds; correspondence and mailing; record keeping; issuance of identification cards, license plates and beach passes; acts as secretariat to the community manager and to the board of directors; receives complaints and inquiries; and handles public and community relations.

Police Department

A staff of sixteen permanent police officers handles all law enforcement activities. This department is headed by a lieutenant directly responsible to the manager. In addition, there are three sergeants and twelve patrolmen. Police protection is furnished on a 24-hour, seven-day basis, operating on a three-shift schedule.

The police staff operates and mans three entrance gates. All persons entering these gates must show proper identification. Residents having Sea Gate license plates may use any entrance gate. In addition to the gate patrol, a police car is continuously patrolling all streets.

The police department handles all disturbances, police complaints, checks vacant houses and patrols all community facilities. Most police activities are routine since the incidence of crime is low. Other routine activities include: accident investigation, enforcement of traffic and parking regulations and enforcement of rules and regulations adopted by the association. All police officers are armed and may make arrests by swearing out a complaint at the local New York City Police Department precinct. The Sea Gate police maintain a close working relationship with

the New York City Police Department.

Typical municipal functions, i.e., garbage and trash collection, street maintenance and cleaning, sidewalk and sewer maintenance, tree trimming, snow removal, fence maintenance, community facilities and beach cleaning and maintenance, are under the jurisdiction of a sanitation and maintenance department headed by a superintendent. A permanent staff of six garbage collectors has the responsibility of collecting all garbage and trash on a five-day basis each week. The maintenance staff is composed of three full-time men. The operations of this department are varied, depending upon the season of the year and upon the type of public improvement program included in the annual budget. It carries out functions which are comparable to a public works department in a municipality.

Because of the summer beach sea-

son and the influx of approximately 3,500-4,000 summer residents above the normal population of 6,500, extra help must be added to man six beach gates and to handle increased traffic and complaint problems. The summer police force is integrated into the regular force. Five lifeguards, four cabana boys, a charwoman, a watchman and two beach boys must be added to man beach facilities. The office staff is materially increased to handle season and daily beach passes. Extra men are added to the sanitation and maintenance department because of heavier garbage collections and to clean the beaches.

The permanent payroll includes 31 employees plus an additional 40 for the summer. Besides the regular employees, a counsel and an accountant are employed on contract.

Sea Gate represents a unique development. It is one of the few private communities which operates under a council-manager-like plan.

Home Rule in Louisiana

State has unique local self-government history, first authorized 1882; cities fail to act on 1952 amendment.

By JAMES KIMBROUGH OWEN*

HOME RULE for the purposes of this discussion may be considered to have three aspects: (1) the right of a municipality to draw up and amend its own charter; (2) the right of the municipality to exercise adequate powers to solve its local problems; and (3) the protection of the municipality against the passage of special legislation. The constitutional amendment adopted in Louisiana in 1952 represented an attempt to deal with each of the three aspects of home rule. This paper will sketch briefly the background of that amendment, its principal provisions, the procedures set up by the enabling act, the results thus far in the development of home rule, and will conclude with a few observations about the state of home rule in Louisiana.¹

Municipal home rule is not new in Louisiana. From 1882 to 1898 the legislature authorized the incorporation of municipalities by the adoption of charters drawn up and approved

by local citizens.² During these sixteen years this method of incorporation was the only method. The town of Zachary today operates under a home rule charter dating back to this period.

Home rule was discontinued with the adoption of the constitution of 1898. Acting under its provisions the legislature passed that year the Lawrason Act (No. 136) which served as a general law for the incorporation of municipalities below 2,500 in population. From 1898 until 1946 municipalities operated under the Lawrason Act or special legislative charters.³ In addition, municipalities of 2,500 or over have been authorized to adopt the mayor-council, commission or commission-manager (council-manager) form of government charters.⁴

In 1946 the parish of East Baton Rouge and the city of Baton Rouge were authorized by constitutional amendment to draw up a home rule charter for the government of the city and the parish.⁵ In 1948 Shreveport was similarly authorized to draw up a home rule charter and in 1950 New Orleans was granted broad home

* Dr. Owen, until his recent death, was professor of government at Louisiana State University. This article is his address of March 9, 1956, before a panel on "What Should Home Rule Mean in Louisiana?" at the Second Annual Conference on Louisiana Government at New Orleans, sponsored by the Public Affairs Research Council of Louisiana.

¹ Act 245 of 1952 proposing an amendment to Article XIV of the constitution of Louisiana relative to parochial and municipal affairs by adding a new section thereto to be designated as Section 40, regulating the incorporation and government of municipalities.

² Act 49 of 1882, Constitution of 1879, Article 46.

³ For an account of this development see Public Affairs Research Council, *Home Rule for Louisiana Municipalities*, Baton Rouge, 1952.

⁴ For the present law on municipal charters see Revised Statutes of 1950, Title 33.

⁵ Constitution, Article XIV 3(a) added by Act 389 of 1946.

rule powers by constitutional amendment.⁶

The 1952 home rule amendment is thus imposed on a mosaic of existing municipal charters: legislative and constitutional home rule charters, general, optional and special charters representing various stages in the development of state-local relations in Louisiana.⁷

The variety in methods of granting charters has reflected basic changes in constitutional restrictions on the power of the legislature. In the constitution of 1879, for example, the legislature was prohibited from passing any local or special law "creating corporations or amending, renewing, extending or explaining the charter thereof." New Orleans was excepted from this provision. In the constitution of 1898 the prohibition was reworded to apply only to municipalities of less than 2,500 population, and this provision was repeated by the constitutions of 1913 and 1921. The legislature thus was authorized to provide by special law for municipalities of 2,500 or more. The Lawrason Act was the legislature's compliance with the prohibition against special legislation for municipalities of less than 2,500. The legislature provided for larger municipalities by special and classified legislation.

Home Rule Amendment

The 1952 home rule amendment provided three major changes in state-local relations in Louisiana. The first was the mandate to the legisla-

ture to provide by general law a method whereby any municipality might frame a home rule charter and adopt same by a vote of the majority of its qualified electors voting thereon. The other two provisions were not limited to home rule. In a sweeping prohibition similar to that contained in the constitution of 1879, the legislature was prohibited from passing "any local or special law creating municipal corporations or amending, modifying or repealing their charters, provided that where a municipality is now operating under a special legislative charter same may be amended, modified or repealed by special or local law as long as such municipality continues to operate under such charter."

Thus the distinction between municipalities of less than 2,500 and those of 2,500 and above dating back to the constitution of 1898 has been in effect repealed.

The third major provision of the amendment conferred on "every municipality," subject to the provisions of the constitution and of any general laws passed by the legislature, "in addition to the powers expressly conferred upon it, the additional right and authority to adopt and enforce local police, sanitary and similar regulations, and to do and perform all other acts pertaining to its local affairs, property and government which are necessary or proper in the legitimate exercise of its corporate powers and municipal functions."

Every city, town and village in Louisiana is affected by these provisions whether adopting a home rule charter or not. What the grant of power means and what protection is

⁶ Constitution, Article XIV 37 added by Act 529 of 1948; Constitution, Article XIV 22 as amended by Act 551 of 1950.

⁷ For an enumeration of the charters now in effect see *Home Rule for Louisiana Municipalities* op. cit., page 17.

afforded municipalities will depend upon the judicial interpretation of the provisions. The effect of these drastic changes on present Louisiana law is vastly complicated not only by the variety of charters now in existence but also by the nature of the prior constitutional home rule grants to New Orleans, Baton Rouge and Shreveport. One illustration is afforded by the prohibition in the New Orleans grant against special legislation affecting New Orleans unless it applies to the five largest cities of the state and is also approved at a local election in New Orleans. Would such an act now be prohibited? Will the court now uphold as general law acts based on population classification?

As the enabling act for the constitutional amendment, the 1952 legislature passed Act 325. This provided the mechanics for drawing up, adopting, amending and repealing a home rule charter. The act is applicable to any municipality and provides for (1) the charter commission, (2) adoption of the charter, (3) amendment or repeal of the charter and (4) limitations on the charter.

(1) *The Charter Commission.* The charter commission, appointed by the governing authority of the municipality, is composed of a chairman and four members who are to be representatives of business, labor, professions and veterans. The commission can be appointed on the initiative of the governing authority; it must be appointed if 25 per cent of the qualified electors petition for a home rule charter. The terms of commission members are four years, but the charter must be submitted within

a year after the appointment of the city charter commission.

(2) *Adoption of the charter.* After notice by newspaper publication of the charter has been given, it is submitted to a vote of the qualified electors at a special, primary or general election. If a majority of those voting on the question approve the charter it becomes the organic law of the city.

(3) *Amendment or repeal.* Proposals to amend or repeal are initiated and voted on in the same general manner provided for the adoption of the charter. Such proposals may not be submitted more frequently than every two years.

(4) *Content of the charter.* The only reference to what the charter may contain is the prohibition against shortening the term for which any official was elected or reducing the salary of his office for that term.

Action Under Amendment

Only one municipality has taken advantage of the home rule amendment. Alexandria set up a charter commission; the commission drew up a charter but it was repudiated at the polls. As far as I know this is the extent of activity under the 1952 amendment. Why? Several reasons suggest themselves.

In the first place, home rule is of greater concern to large municipalities than to small ones, and New Orleans, Baton Rouge and Shreveport were operating under special home rule constitutional provisions at the time of the adoption of the home rule amendment.

In the second place there does not appear to be any widespread criticism of existing charters. Municipal offi-

cials and other local citizens are concerned about the problems of local government. Solutions to these problems are not sought in charter changes, however, but in terms of additional assistance from the legislature. The overriding problem of municipal government is revenue and the answer is sought in additional grants-in-aid or tax sources authorized by the legislature. The grant of power contained in the home rule amendment, whatever it does mean, applies to all municipalities and therefore may be enjoyed under existing charters. Another problem concerns the development of suburbs and the necessity of some form of extension of municipal boundaries to include the natural urban area. Here, too, a home rule charter seems to offer no solution.

Amendment Easy

In the third place, it has not been difficult to secure amendments of charters through legislative action. If the representative from a particular area favors a local act, there is generally little opposition to its passage. The requirement of previous publication in the locality has served to prevent serious abuses. This practice is not prohibited by the amendment for municipalities continuing to operate under special charters. Equally important there is no backlog of charter changes desired by local governments and refused by the legislature.

In the fourth place, the procedures provided by the enabling act are at best awkward. If the governing authority of the municipality opposes the appointment of a commission, a petition signed by 25 per cent of the

qualified voters is necessary to initiate the appointment. The charter once adopted can be amended only every two years. In this respect many present charters are more convenient than the home rule charter would be. The amending provisions of many charters require only publication and, if approved by the governor and attorney general as being consistent with the constitution and laws of the state, and if not protested by local petition, become effective without the requirement of a local election. This method is not only less expensive than home rule procedure but it also can be accomplished at more frequent intervals than the two-year limitation on home rule charter changes.

The requirement that the charter commission consist of representatives of various groups in the community is also of doubtful wisdom, and the specification that they are to serve four-year terms even though they must produce a charter at the end of one year is difficult to understand. Objections to procedures in the enabling act, however, can be remedied by simple legislative amendment if there is sufficient interest in making them more workable.

What then of the future of home rule in Louisiana? It seems to depend upon an increased interest by the citizens of local communities in working out their own problems without recourse to the state legislature. To do so would, however, reverse the trend of the past 50 years in Louisiana government. The constitutional basis has been provided, it now remains for the people to act.

News in Review

City, State and Nation . . .

Edited by H. M. Olmsted

Citizens Analyze Northwest States

Government Problems Assayed by Assembly

Editor's Note.—We present herewith the findings of the Pacific Northwest Assembly on State Government, which was held in Spokane, Washington, June 21-24, under the auspices of the Pacific Northwest Committee, representing various civic leaders and organizations of Idaho, Montana, Oregon and Washington, and the American Assembly (Columbia University). Co-chairmen were Harold S. Sheffelman, president of the Municipal League of Seattle and King County, and Ewen C. Dingwall, executive director of the Washington State Research Council. George A. Shipman, director of the Institute of Public Affairs of the University of Washington, was technical director.

In the July REVIEW (page 340) the findings of the corresponding Southern Assembly are given. The two presentations afford interesting contrasts and similarities found in opposite ends of the nation and suggestions for dealing with them.

GOVERNMENT in the Pacific Northwest serves a dynamic society:

Population. Population is growing rapidly, is increasingly mobile and its distribution by age groups is changing. The inland states show increases in the younger and older groups, with relatively less increase (due to out-migration) in the middle, income-producing range. The seaboard states have a relatively greater rate of growth in the income-producing group.

Urbanization. Population shifts are producing urban and fringe-area problems. These exist both in the larger metropolitan areas and in smaller urban areas.

The economy. The historic bases of the

Pacific Northwest economy—agriculture, forest products, mining and fisheries—have been broadened by development of new income sources. Industry is increasingly important, with defense outlays playing a conspicuous role. There is an urgently felt need for a more diversified and better balanced regional economy to provide stable employment.

These factors clearly influence the public demand for governmental services.

I. Primary Areas of Need

If public needs are to be met effectively, they must be better understood. The operation of the democratic process depends upon an informed body politic; constructive action begins with informed, far-seeing leadership. Apparent citizen indifference and lethargy often reflect lack of information. The people are looking to their governmental institutions for effective response to such primary common needs as:

1. **Public education.** Concern with education spans the whole range—kindergarten, college, adult education. Attention centers upon the shortage of teachers, effective use of teaching skills and shortage and maximum utilization of buildings. Greater attention should be given to the education of students according to their varying capacities and needs.

2. **Natural resources development.** Wise and prudent resource development is basic to the regional economy. Effective utilization of water and land resources is of major importance. Adequate inventories of state resources have not been made. This deficiency is an impediment to a realistic program of resource development. A further impediment is lack of clarity and stability in the interrelationships of federal and state efforts.

3. **Transportation.** The need for ex-

panded and improved highway systems is intense and comprehensive. The need includes expressways, bridges, city streets, interstate highways and rural feeder roads.

4. *Public institutions and services.*

Public institutions and services for offenders, for the mentally ill, the chronically ill, the retarded and the defective, are in many instances seriously inadequate. The need for proper facilities for juveniles is particularly pressing.

II. Executive Structure

The existing administrative structure does not lend itself to dealing effectively with emerging needs. Some difficulties are rooted in constitutional specifications of governmental structure. Others arise from an understandable tendency to retain familiar but outgrown mechanisms.

In general, structural weakness has been a more serious problem than administrative incompetence or mismanagement. The incidence of corruption has been encouragingly small. In fact, there are many indications that the difficulties inherent in the design of governmental institutions are being minimized by the devoted efforts of legislators and administrators whose contributions are too little understood and appreciated by the general public.

The primary points of difficulty that deserve careful attention are these:

1. *The executive branch.* It is difficult for the executive branch to operate as a balanced, coordinated whole. The spreading of executive functions among a variety of elected officials leaves the governor, as chief executive, without the authority and responsibility essential for effective administration. He should have executive and administrative powers commensurate with his political responsibility for the conduct of major state programs. A sharp reduction in the number of elective officials would be a useful step in

this direction. The following major state offices were specifically discussed:

a. *The lieutenant governor.* There is doubt as to the need for the office of lieutenant governor. Consideration should be given to other lines of gubernatorial succession, taking into account the desirability of continuing the political identification of the administration.

b. *The attorney general.* The attorney general should be appointed by the governor on the basis of professional qualifications. He should serve solely as a legal officer.

c. *The superintendent of public instruction.* The administrative head of the public school system of the state should be appointed upon the basis of professional qualifications, from nominations submitted by an informed professional group. Appointment might be either by a state board of education or by the governor.

d. *The state auditor.* The post-audit of state expenditures is not a proper function of the executive branch. It should be an independent check upon the executive. The officer responsible for post-audit should be either appointed by the legislature or popularly elected, as the people of the state may prefer. His official responsibility should be limited to the exercise of post-auditing functions.

2. *The governor as chief administrator.* Under present-day conditions, the governor must be more than a political leader. The operation of governmental programs is a large and complex affair. State administration requires a central point of program coordination and managerial leadership. Inevitably, this responsibility falls upon the governor. To exercise it, he must have fully adequate and competent staff assistance. Statutory authority is needed to effect sound management practices in budget preparation and administration, the control of expenditures, the design of accounting systems, purchasing and property management, and the operation of central service facil-

ities. The Department of Finance and Administration in the state of Oregon is a significant step toward more effective state management; it embodies an approach that deserves careful consideration by the other states.

3. *Personnel systems.* The quality of services rendered the public depends primarily upon the competence and the self-dedication of career public employees. The lack of adequate and fully comprehensive personnel systems causes high turnover in public employment and serious disadvantages in competing with private employment and professional practice for well qualified people. Permanence should be assured competent employees, salaries should be adequate, promotion systems should encourage self-improvement and retirement provisions should be equitable. However, incompetence should not be tolerated nor discipline impaired by needless limitations upon separation from employment for cause.

III. Constitutions and Legislatures

1. *Constitutional limitations upon governmental action.* State constitutions generally contain too much material that is statutory in nature. As a result, the legislature's efforts to meet public needs effectively are often restricted by unrealistic limitations. The legislature needs broad and flexible powers compatible with basic private rights.

2. *Representation in legislatures.* At the present time, the reapportionment of representation in state legislatures is a pressing problem only in the state of Washington. Oregon, by constitutional amendment, has provided for orderly reapportionment in the future. In neither Idaho nor Montana has reapportionment so far involved the balance of power between urban and rural areas. For the future, however, design of workable means for automatic reapportionment deserves high priority. The pattern of rep-

resentation should give balanced recognition both to population and to the interests of sparsely settled areas.

3. *Legislative structure and organization.* Legislatures are handicapped by limitations upon the length of legislative sessions and by infrequency of meetings. Solutions for this problem should be fitted to the particular requirements of individual states. When sessions are too brief, public business suffers. If meetings are unnecessarily long or frequent, many able citizens will be discouraged from legislative service. If biennial sessions are held, they should not be subject to time limits. Some states may require annual sessions. Advantageous changes might include annual appropriations or adoption of a biennial budget at a special budget session in the "off year," subject to adjustment at the regular session. The regular session could then concentrate upon other matters.

4. *Aids to legislatures.* Legislatures need effective aids in the preparation and consideration of legislation. Greater technical assistance is needed in research and program planning, reference services, bill drafting and codification of statutes. Interim committees serve a constructive purpose in making possible a more deliberate approach to policy formation and in enabling greater citizen participation in this process. The multiplication of specialized committees can be minimized by establishing a continuing legislative council to provide a central core for coordination and technical assistance.

5. *Local government areas.* The structures imposed upon local government by state constitutions and legislation are often so inflexible and obsolete that realistic approaches to metropolitan, urban and fringe-area problems are next to impossible. Difficulties are also encountered in adjusting local service jurisdictions for schools, roads and other services to the areas that can administer these activities effectively. In all of the states, a realis-

tic reappraisal of the adequacy of local structures is needed to strengthen the ability of the local community to govern itself in an effective way.

IV. Federal-State Relations

Federal grants-in-aid have become a vital part of government in the Pacific Northwest. Without them the aided services could not have developed to their present level. However, experience gained in their use challenges the states to come to grips with their own needs more effectively in the future. If the states have lost ground in the federal system, it is because of failure or inability on their part to plan, to administer, and to provide support for essential public services. But future extensions of federal aid must be carefully examined. The federal-state relationship and balance under our system of government must be maintained; and there must also be a sound balance between matters that are wholly state concerns and those essentially federal concerns for which the states may serve as administering agents.

V. Interstate Cooperation

Interstate cooperation has great promise for the preservation of state autonomy. Such possibilities as the sharing of program efforts by the northwest states deserve careful exploration. A beginning for the western states as a whole has been made in the field of higher education. While there is much to be learned about the advantages and disadvantages of such arrangements, they appear to hold bright promise for the development of more adequate facilities than the separate states could afford and for the employment of professional leadership that individual states could not obtain. Important public concerns overrun state boundaries—commercial fisheries, water, hydroelectric resources and the like. Others, such as mental illness, corrections, care of juveniles and conservation activities,

are sufficiently alike to suggest common efforts. Wherever common action can produce better public services, cooperative efforts should be pursued.

VI. Citizens and Government

Citizen groups provide a vitally important channel for participation in the democratic process. Through them public-spirited and conscientious persons can take part in the analysis of public problems and in the formulation of sound solutions. Advisory bodies can contribute valuable assistance in the planning and evaluation of state programs. Enlistment of such participation should be broadened.

VII. Political Parties

In the American system responsible political parties are the major means whereby the citizen can achieve the expression of his values in governmental action. They can be important instruments for enforcing official responsibility. To be held responsible for the conduct of government, parties need to be strong and courageous.

VIII. Finance

Pervading all other problems is the fact that the demand for governmental services is growing much more rapidly than the ability of existing revenue systems to support them. Patchwork efforts to supplement present revenue systems only postpone facing the central issues. In all of the states, there is a pressing need for the reexamination of revenue systems, so that the states and their local units can support themselves responsibly; and so that all individuals, groups and interests can be assured that they are paying their fair and responsible shares of the cost of government.

Massachusetts Port Authority Created

On June 21 Governor Christian L. Herter signed the long debated bill creat-

ing the Massachusetts Port Authority and utilized simultaneously his emergency authority to make the measure effective at once. His speedy action came three days after the Supreme Judicial Court issued an advisory opinion declaring the bill constitutional. The bill passed by the House was sent by the Senate to the state's highest court before the upper body concluded its consideration of the proposal.

The bill creates a public corporation to be administered by a seven-member bipartisan commission appointed by the governor for staggered terms of seven years. Members, who are to serve without salary, are required to have experience in finance, engineering and commerce and to include a representative of labor. The board is to be concerned with policy. An executive director appointed by the commission will administer the authority.

Consolidated under the new authority are the functions and facilities of the Boston Port Commission, Mystic River Bridge Authority, Sumner Tunnel and the State Airport Management Board, which has charge of the Logan International Airport in East Boston and the Hanscom Airport in Bedford. The authority is to be privately financed although the state may lend it \$750,000 at the start. In its unanimous opinion the court advised the legislature that it was constitutional to exempt the revenue bonds of the authority from taxation. The new agency is empowered to construct a second vehicular crossing bridge or tunnel from Boston to East Boston but this project will not affect state credit. If present estimates hold, the state budget can be reduced by some \$6,000,000 annually in the future. The authority will pay the state \$20,000,000 eventually as the aggregate of bonds outstanding on port property.

VICTORIA SCHUCK

Mount Holyoke College

Louisiana to Vote on Constitutional Convention

The Louisiana legislature has adopted a proposal for a constitutional convention early in 1957, if approved by the voters at the November 6 general election. At the same time 101 delegates to the convention (if authorized) will be voted for, to be elected in the same manner as members of the House of Representatives. Thus opponents of the convention, who nevertheless wish to be delegates if one is held, will be placed in an anomalous position.

In addition to the 101 delegates to be elected, twenty others are to be appointed by Governor Earl Long; three of these must be members of the Louisiana Law Institute and two must be justices of the State Supreme Court.

Governor Long is strongly in favor of the convention. It is opposed by many for fear that existing constitutional safeguards as to civil service, home rule, etc., will be eliminated or weakened. Some opponents prefer piecemeal amendment rather than the drafting of a complete new constitution under present political conditions.

The bill originally provided for no referendum on a resultant new constitution, but an amendment was finally adopted calling for submission of the document to the people.

The convention would be barred from tampering with the bill of rights, the registration provisions or the terms of public officeholders prior to expiration of their present terms.

The convention would meet from January 7 to April 19, 1957. Delegates would receive \$30 a day and ten cents per mile for any trips to and from the convention.

The convention proposal passed the Senate 29 to 10 and the House 57 to 38. Senator Robert A. Ainsworth, Jr., of New Orleans, an opponent, sought to

have the election of delegates postponed until after the popular vote on the convention but lost 29 to 10.

New Hampshire Convention Submits Six Amendments

The fourteenth convention to consider amendments to the New Hampshire constitution met in Concord from May 15 to June 13, with 449 delegates. The period June 5 to 8 was devoted to committee hearings, which resulted in recommendations for six amendments. The convention thereupon approved these, killed 44 proposals and after considerable debate defeated seven others that were more controversial.

Three amendments to be voted on at the 1956 election would: (1) provide for absentee voting at primary as well as at final elections, (2) allow jury trials in civil courts only when more than \$300 is involved, and (3) give the governor full powers when out of the state.

Three others, to be voted on in 1958, would: (1) change the title of county solicitors to county attorneys, (2) eliminate a provision that limits voting to male residents, and (3) delete obsolete provisions as to parishes and plantations and the list of state officers declared to be incompatible with federal employment, and clarify the provision for advisory opinions by the Supreme Court.

Defeated proposals include the following: to increase the Senate to 40 members, reduce the House to 300 and increase the pay for all legislators; to require annual sessions of the legislature; to allow more home rule for cities and towns; to permit amendments to be voted by the legislature in two sessions and then be submitted to the people; and to classify property for taxation.

Kentucky Obtains Partial Reorganization

The Kentucky legislature has adopted an act partially reorganizing the state

governmental structure. It permits the State Department of Education to organize along lines desired by the state superintendent rather than follow a rigid pattern previously prescribed by law; creates a division of farm management within the Department of Welfare; replaces the Agricultural and Industrial Development Board by a new Department of Economic Development; creates a Department of Public Safety to bring together the state police and certain safety functions now handled by the Revenue and Insurance Departments; sets up a State Highway Commission; and establishes the Division of Personnel, now in the Finance Department, as a separate department.

Long Pennsylvania Legislature Has Sad Record

Commenting on the 1955-56 Pennsylvania legislature, which convened January 4, 1955, and adjourned May 22, 1956, Philadelphia's Committee of Seventy charges that although it was the longest session in the state's history it failed to accomplish many promised reforms in government of the state and its subdivisions. Some worthwhile laws were enacted, out of 4,000 measures introduced, but the unsuccessful proposals included such important subjects as municipal home rule, governmental streamlining (particularly for Philadelphia), a convention to revise the 1874 constitution, a plan for removing the selection of judges from partisan politics, reapportionment of state senatorial districts, now highly disproportionate, and a commission to prepare a representative ward system for Philadelphia, where wards now vary from 1,000 to 200,000 population.

The committee emphasizes the legislature's preoccupation with pay increases, including doubling legislators' salaries (effective next year) and increasing salaries not only of state executives and judges but also those of local officials who are paid out of local revenues. It states,

"Some of these pay raises are going to make it even more difficult to convince the next Philadelphia delegation to the Assembly to support home rule measures. Politicians will continue to defend these well paying patronage strongholds."

Virginia Short Ballots Made Shorter

Virginia, which already has the shortest ballots of any state, made some of them still shorter by a legislative act of 1956. Most of the minor court justices have been appointed by judges of the circuit courts but some under old laws were locally elective or chosen by the legislature. These, with the title of judge of the municipal (or county) court, will hereafter be appointed by the circuit judges, who are appointed by joint sessions of the legislature.

R.S.C.

Council-Manager Plan Developments

On July 10 voters of CORSICANA, TEXAS, (1950 population 19,211) adopted the council-manager plan 625 to 520. The plan goes into effect immediately.

The city council of HERMOSA BEACH, CALIFORNIA, (1953 population 14,004) by a vote of four to one on May 21 adopted an ordinance establishing the office of city manager. The manager is made the administrative head of the city, under the direction and control of the council. He is given power to appoint and remove, subject to civil service regulations, all officers and employees except the clerk, attorney and treasurer. A petition was subsequently filed calling for a referendum, which is expected to take place at the general election in November.

RATON, NEW MEXICO, (1950 population 8,241) voted 649 to 197 at a special election on July 10 to adopt the council-manager plan under state optional law.

On July 16 the city council of LA VERNE, CALIFORNIA, (1954 population

5,268) passed an ordinance establishing the position of city manager. The title supersedes that of city administrative officer though the duties of the office remain the same.

The International City Managers' Association has announced the recent adoption of the council-manager plan in the following municipalities not previously reported here: LAKE FOREST, ILLINOIS, (1950 population 7,819); GLOBE, ARIZONA, (6,419); SELMA, NORTH CAROLINA, (2,639); WATSONTOWN, PENNSYLVANIA, (2,327); CAVENDISH, VERMONT, (1,374); and St. Foy, QUEBEC.

The town council of CHRISTIANSBURG, VIRGINIA, (2,967) on May 25 approved the recommendation of a special committee to adopt the council-manager plan.

The Chamber of Commerce of LEBANON, NEW HAMPSHIRE, has established a committee to study the manager plan.

A special town meeting was held in WOODSTOCK, VERMONT, on June 5 to hear a preliminary report of a committee investigating the pros and cons of the manager plan.

The representative town meeting of FALMOUTH, MASSACHUSETTS, received in June a committee report recommending that steps be taken toward submission of a selectmen-manager government for Falmouth and unanimously approved appointment, by the moderator, of a new committee to draft and submit to the town meeting a proposed new council-manager charter. If the town meeting approves, the charter will then be sent to the legislature to be adopted as a special act requiring subsequent submission to the voters of the town at the polls.

WARWICK, RHODE ISLAND, has elected a charter commission to frame a home rule charter to replace the present weak-mayor charter. Seven of the nine members were supported by the Warwick Municipal League. Sentiment is divided between the council-manager and strong-mayor plans.

In the town of NEW MILFORD, CONNECTICUT, the Citizens' Town Improvement Committee in its final report to the board of selectmen recommended the council-manager type of government. It suggested a referendum on the recommendation.

Two New York Cities

In LOCKPORT, NEW YORK, after the city council tabled a proposal for a referendum on a council-manager charter, presented by a petition of 1,000 citizens and advocated by Mayor F. J. Moyer, Jr., enough additional signatures to the petition were obtained to force a referendum at the general election in November.

Voters of OLEAN, NEW YORK, will vote November 6 on a proposed council-manager charter which provides proportional representation as the method of electing the city council. (See page 399, this issue, for further details.)

NORTH PLAINFIELD, NEW JERSEY, voted 1,899 to 1,483 against a proposed council-manager plan on June 19.

BUENA VISTA, VIRGINIA, voted 487 to 290 at a special election on June 26 to retain its council-manager plan of government. It had been adopted in 1950 by a vote of 421 to 330. Thus it has gained in popular support.

The city commission of CLINTON, NORTH CAROLINA, has indicated approval of the idea of a referendum on the question of adopting the council-manager plan. It was expected that petitions for this purpose would be circulated.

The city council of AUGUSTA, GEORGIA, unanimously adopted a resolution on June 5 directing the city attorney to prepare a charter amendment to establish the council-manager plan. If the amendment is approved by the council when drafted, it will be presented to the state legislature and, if approved by it, will then be submitted to a referendum in Augusta.

In MAKIETTA, GEORGIA, the *Times-Journal* reports that the mayor and coun-

cil desire to employ a city manager but are not in agreement on the man and the salary. The newspaper urges that a capable manager be engaged without delay at an adequate salary.

IN ASHTABULA, OHIO, the Charter Revision Committee has circulated petitions calling for a city manager to be appointed by a council elected at large. Ashtabula now elects two of its seven councilmen at large and also elects a so-called city manager. Prior to 1948 the manager was appointed by the council.

The NEWARK, OHIO, Charter Study Commission has decided to submit a council-manager charter to the voters at the November election.

In EAST LIVERPOOL, OHIO, a committee of the Chamber of Commerce is making a study of the council-manager plan.

The WORTHINGTON, OHIO, Charter Commission has prepared a council-manager charter for submission to the voters in November.

The village of GROVE CITY, OHIO, near Columbus, has grown to over 5,000 population and contemplates the idea of becoming a city, with council-manager government.

In DANVILLE, KENTUCKY, a Committee for City Manager Government has been formed and has circulated a petition calling for a referendum on adoption of the council-manager plan at the November election.

At a special election in FLORENCE, ALABAMA, on May 29 a proposal for the board of commissioners to enact an ordinance establishing the office of city manager carried by eight votes.

In MARSHALL, MICHIGAN, the Municipal Government Study Committee of the Chamber of Commerce has recommended to the chamber's board of directors that a campaign for the council-manager plan be undertaken.

In CHAMPAIGN, ILLINOIS, where the people voted for the council-manager plan by a 356-vote margin in April 1955, the

city commission in January 1956 voted three to two to retain the commission plan for three more years. The manager plan would become mandatory on April 30, 1959. The commission is now faced with the issue again in considering a proposed recodification of Champaign ordinances, prepared by Thomas J. Matthews, legal consultant to the Illinois Municipal League. He has suggested an ordinance to establish the council-manager plan whenever the commission decides to take such action.

A referendum on the council-manager plan in COUNCIL BLUFFS, IOWA, at a special election on June 26, resulted in a vote of 6,059 to 3,571 for retention of the plan, which has been in effect since 1950. The vote was stated to be the largest ever polled in a special election in Council Bluffs. The referendum was the result of a petition.

At a referendum on adoption of the council-manager plan in WEBB CITY, MISSOURI, held August 2, voters defeated the proposal 1,191 to 945.

The mayor of VERMILLION, SOUTH DAKOTA, has appointed a committee of seventeen to study the advisability of adopting the council-manager plan.

Petitions for abandonment of the council-manager plan in PITTSBURG, KANSAS, were rejected by the city council as insufficient and not meeting legal requirements. The manager plan has been in effect since 1949.

DRUMRIGHT, OKLAHOMA, voted 554 to 432 in June to retain the council-manager plan. It has been in effect since 1949. The total vote of 986 compares with a registration of 1,300 to 1,400.

In GRANTS, NEW MEXICO, which has been experiencing a uranium boom, a city manager has been appointed, under the title of clerk-treasurer, pending official adoption of the council-manager plan.

Voters of DALHART, TEXAS, at an election held July 24, voted to retain their council-manager plan, 887 to 317.

A committee has been formed in FAIRFAX, CALIFORNIA, to study methods for better government, including the council-manager plan.

URANIUM CITY, SASKATCHEWAN, CANADA, was established on May 29, by special act of the provincial legislature, with a council-manager charter. It includes a district of some 1,200 square miles, mostly vacant except for the townsite and a half-dozen mining operations. Hospitals and schools, as well as the usual municipal functions, are under a single municipal council, instead of being under separate boards as is more frequently the case in the province.

Manager Meetings

A total of 66 city managers from the six New England states attended the New England Managers' Institute at the University of Maine, June 18-20. Eleven Wisconsin managers met June 15-16 at Lake Delton. Eleven Minnesota managers met at Detroit Lakes on June 15, in connection with the annual meeting of the Minnesota League of Municipalities.

Managers of ten New Mexico cities met in Santa Fe May 11, 1956, and established the state's first City Managers' Association. The group, under the chairmanship of James W. Harrison, Lovington, discussed subdivision regulations and land use, urban redevelopment, utility rates, public relations, city-state relationships and legislation affecting cities.

Municipal Attorneys Meet in October

The National Institute of Municipal Law Officers will hold its 21st annual conference at the Fontenelle Hotel in Omaha, Nebraska, October 7-10. The conduct of utility rate cases, zoning and planning cases and many other municipal legal problems will be discussed. Attendance will not be limited to institute members.

County and Township*Edited by William N. Cassella, Jr.,
and Victor Jones*

Area-wide Council Proposed in Seattle

County, City, Suburbs Would Be Represented

THE METROPOLITAN Problems

Committee of the Municipal League of Seattle and King County has outlined its recommendations based upon a two-and-one-half-year study¹ in *Metropolitan Solution—The Shape of Things to Come* (8 pages). The report was prepared by a fifteen-member subcommittee in cooperation with the Bureau of Research and Services of the University of Washington.

The initial phase of the committee's study resulted in the publication of its first report, *Metropolitan Seattle—The Shape We're In!*, a discussion of the major problems facing the area.² Subsequently, the Metropolitan Problems Committee and the University Bureau, in cooperation with representatives from the State Legislative Council, Washington State Research Council, Washington Pollution Control Commission and the League of Women Voters, and officials of the city and county governments, explored alternative proposals for "a more unified government" for the area.

Alternatives considered but rejected were: annexation of substantially all the metropolitan area by the city of Seattle, performance of metropolitan services by Seattle, creation of a series of special districts, consolidation of city and county governments, expansion of county government and combined city-county agencies.

"After reviewing the available alterna-

tives the committee concluded that the creation of a representative metropolitan government charged with the duty of handling common problems within the area, while leaving traditional local and county functions to the individual counties, cities and towns, holds the greatest promise for a sound ultimate solution.

"The League recommends that a representative metropolitan government be created pursuant to an enabling act of the state legislature with the following basic features:

"1. The government should be a metropolitan municipal corporation of limited powers and should perform only those functions which are metropolitan in nature.

"2. All other functions of local government should continue to be performed by the county and by the cities, towns and special districts within the metropolitan area.

Area Coverage

"3. The metropolitan government should cover substantially all of the metropolitan area surrounding the core city and the natural drainage areas reasonably tributary thereto and be able to perform its functions in more than one county.

"4. The legislative body of the metropolitan government should be a council composed of representatives selected by the elected legislative officials of the county, the central city and the smaller cities surrounding the central city and one member selected by this council, who is not an elected official of any component government, to serve as chairman.

"5. The legislative body of the metropolitan government should have the power to establish such administrative organization as may be necessary to accomplish its purposes, including the

¹ See the REVIEW, June 1954, page 312.

² See the REVIEW, July 1955, page 381.

power to establish such boards, commissions and advisory bodies as may be necessary.

"6. The metropolitan government must be able to raise the funds necessary to carry out its functions.

"7. In addition to the metropolitan functions which this council may be authorized to perform, it should have the power to perform any functions which may be performed by the county or by cities, towns or districts, by mutual agreement with the county, city, town or district affected and functions so performed should be paid for on a cost basis by such city, town, district or county.

"8. The metropolitan government should have the power to initiate reorganization and consolidation of sewer, water and fire districts within the metropolitan area subject to the approval of such consolidation or reorganization by the voters affected. It should also have the power to approve proposed formations of or annexations to cities, towns, water, sewer and fire districts within the metropolitan area.

Enabling Legislation

"9. The enabling legislation should be so drawn to enable the metropolitan government to be adopted with one or more of the metropolitan functions and to later perform additional metropolitan functions by authorization of the component governments or by the voters. This will enable the metropolitan government to meet particular problems in particular areas throughout the state."

The functions which may be performed in whole or in part by the metropolitan government, if it is assigned adequate powers by enabling legislation, include comprehensive planning for the area (including minimum zoning and building performance standards), sewage disposal and storm drainage, water supply, arterial roads, mass transportation, parks and parkways, health, garbage disposal.

"The Committee believes that any form of government which will afford a satisfactory answer to the problems of the metropolitan area of Seattle should meet the following general principles:

"1. The form of government should provide a vehicle which will encompass substantially all of the metropolitan area.

"2. The form of government should be representative of the area governed.

"3. The functions which may be performed by the metropolitan area government should generally be limited to those which require an area-wide administration for their successful performance.

"4. The assignment of functions should be flexible, however, allowing assumption of additional functions ordinarily performed by other local government units on a basis of mutual consent whenever it is mutually advantageous.

"5. The form of government should be such as to enable efficient administration of the functions which it is to assume.

"6. The proposed legislation should permit and encourage the development of local responsibility at the community level wherever feasible.

"7. The form of government should be one which can be adopted by an act of the legislature without additional constitutional amendments."

Seminar Discussion

The report was released during the metropolitan seminar of the annual Institute of Government held at the University of Washington.

The seminar discussion raised a number of questions which must be answered satisfactorily by the sponsors of the plan. Among these was an inquiry as to whether or not the existing county governments could be given authority to handle metropolitan services instead of creating a new governmental body. One answer to this question is noted in the report:

"Expansion of county government to enable it to give city-type services within the metropolitan area would be effective only if the county were at the same time reorganized to enable sound administration of such services. This could be done by a home rule charter, but the drafting and adoption of such a charter has proved a lengthy and difficult process. Even if it were equipped with effective administrative machinery the county would find it hard to solve adequately metropolitan area problems which extend beyond county boundaries. . . .

"The league further urges, however, that additional enabling legislation be adopted to permit counties with home rule charters to perform metropolitan functions if at the time of adoption of such charters such functions shall be submitted to and approved by the voters of the county. This will create an additional means of solving metropolitan problems, particularly applicable to places where the county is co-terminous with a metropolitan area."

The league specifically recognizes that a great deal of further study will be necessary to prepare the legislation needed to enable the formation of the proposed metropolitan government. "A large number of community groups, civic organizations and government officials should participate in the preparation of such legislation."

In line with the suggested approach, the governor of Washington has appointed a Special Committee on Metropolitan Area Problems which will make recommendations to the 1957 legislature. Harold S. Shefelman, president of the Municipal League of Seattle and King County, was named chairman. Members include James R. Ellis, who was chairman of the subcommittee which drafted the league report, Donald H. Webster, director of the University of Washington Bureau of Governmental Research and Services, and John D. Spaeth, planning director of Seattle.

1957 Census for Nassau County

An act of the 1956 New York legislature authorizes counties to contract with the United States Bureau of the Census "to supervise a special census for purposes of computation of state assistance." This will permit counties with growing populations to receive increased state aid based upon the special census rather than being required to use 1950 population counts until the official 1960 census data is available. Nassau County has initiated action to undertake a special census in 1957.

Charter Commission Appointed for Suffolk County, N. Y.

A 19-member study commission was appointed last month to prepare a charter for Suffolk County (New York) for submission to the 1957 legislature. The study commission was set in motion by action of the board of supervisors, which unanimously voted to create the commission. Named to the commission were the supervisors of Suffolk's ten towns and nine others including Assemblyman Elisha T. Barrett, who had introduced a bill containing a proposed charter in the 1956 legislature. This bill passed both houses of the legislature but was vetoed by the governor.¹ The veto followed Democratic protests that they had not participated in the preparation of the charter bill which was sponsored by Republicans. The study commission includes four Democrats.

The study commission is authorized to hire specialists and administrative personnel to assist in its work. Appointment of
(Continued on page 404)

¹ See the REVIEW, April 1956, page 183; May 1956, page 240.

Proportional Representation*Edited by George H. Hallett, Jr.,
and Wm. Redin Woodward**(This department is successor to the Proportional Representation Review)***Olean, N. Y., Will
Vote on P. R.****Proposal Follows Plan
of Model City Charter**

OLEAN, New York, a busy city of 23,000 in Cattaraugus County just north of the Pennsylvania border in the western part of the state, is scheduled to vote November 6 on a complete revision of its 1915 charter based on the council-manager plan with proportional representation.

The revision was presented by petition by a strong Olean Council-Manager Committee containing leaders of business, labor and the professions and including, as its secretary-treasurer, the general manager of the one daily newspaper, the *Olean Times Herald*.

Under New York law any city charter amendment, however extensive, may be presented to the city council by a petition of qualified voters equal in number to at least 10 per cent of those who voted for governor in the city at the last gubernatorial election. If the council does not adopt it or put it on the ballot within two months thereafter it may be forced onto the ballot by a supplementary petition of new signers totaling at least 5 per cent of the gubernatorial vote.

In this case the first petition was signed by about 20 per cent of the gubernatorial vote. Upon its receipt the council, only three of whose eleven members personally favor the proposal, voted unanimously on July 24 to submit it to the voters at the regular fall election. The second petition, though no longer needed, is to be filed anyway as a further indication of popular demand.

If adopted, the new form of govern-

ment will go into effect at the end of 1957. The council will be elected at large, instead of from wards, on a non-partisan ballot without primaries by the Hare system of P.R. It will consist of seven members, including the mayor, and will choose and at pleasure remove the city manager. The manager will be in charge of all administrative agencies of the city government.

Mayor Chosen by Hare System

In the choice of the mayor, who will be the ceremonial and political head of the city and president of the council without administrative duties, the amendment follows the novel plan used in Yonkers, New York, during the latter part of that city's use of P.R. The entire council will first be elected by standard P.R. provisions similar to those in use in Worcester, Massachusetts, after which the same ballots will be recounted by the Hare system of majority preferential voting to see which of the council members is the popular choice for leader. Vacancies in the council membership or in the mayoralty will be filled by recounts.

In most respects the revised charter, if adopted, will follow the principles of the *Model City Charter* of the National Municipal League, although in arrangement and a large number of details not inconsistent with these principles it will follow the city's present charter.

A comptroller confined to auditing functions will be appointed by the council and all other financial functions, including purchasing and assessment, will be combined in a commissioner of finance appointed by the manager.

In addition to the heads of regular operating departments the manager will appoint a personnel director and a city planning director, who will make per-

sonnel management and planning an integral part of the city manager's administration but will also give staff assistance to a rule-making civil service commission and an advisory planning commission appointed by the council. In making these two appointments the manager will need the concurrence of the corresponding commission, but he may remove either director at his own pleasure.

With the approval of the council the manager may appoint the same person to head two or more departments or may head one or more of them himself.

The charter revision was prepared for the local committee by Mr. Hallett of this department, after a conference in January with the committee in Olean at which all the major principles were agreed on.

The decision to include P.R. was made after a full discussion of alternatives and of the reasons which lead New York and other cities to repeal it. The committee was not worried about any subversive minority being strong enough in the city of Olean to exert substantial influence under any method and wanted the best method of assuring a representative council to determine policies and select a city manager for the people of the city.

Court Blocks Vote on P. R. in Cincinnati

On June 7 the Sixth Court of Appeals of Ohio, sitting as a special court in the 9X-P.R. initiative petition case,¹ reversed the April decision of Hamilton County Common Pleas Judge Charles Weber, who had issued a peremptory writ of mandamus directing city council to call a special election upon the proposed initiative. The Appeals Court, by a two-

to-one verdict, sustained every major contention of Robert P. Goldman, chairman of the board of the Cincinnati City Charter Committee, representing the Charter members of city council, and Ed F. Alexander, special counsel of the city of Cincinnati, representing the whole council. In addition, the court, by unanimous vote, ruled that the lower court had no authority to mandamus the call of a special election but at most could only require the council to complete its examination of the petitions and further proceed as directed by the constitution.

Subsequently, attorneys for the anti-P.R. group filed (1) a motion for a rehearing and (2) a motion to certify the case to the Supreme Court. On June 22 the Appeals Court refused both motions.

Only two courses now appear to be left to the anti-P.R. group. They may ask the Supreme Court to admit the case with the probabilities favoring rejection unless they can conjure up a constitutional issue (in which event, six of the seven judges would have to concur), or they may certify and circulate new petitions.

Informed observers believe that, regardless of which course is adopted, the chances of an election on the P.R. issue this fall are now remote. Instead, and this seems more consistent with the obvious reluctance of P.R. opponents to risk their case at a general election, odds favor a renewed attempt early in 1957 to secure submission at a special election.

FOREST FRANK, *Executive Director*
Cincinnati City Charter Committee

Netherlands Elects Second Chamber by P. R.

The Labor (Socialist) party made an unusually favorable showing in the national elections held June 13 in the Netherlands. It increased its delegation in the 100-seat popularly elected "second house" of Parliament from 30 to

¹ The referendum petitions called for a vote on the abandonment of proportional representation for the election of the city council in favor of majority election at large, each voter having nine choices without benefit of primaries. See the REVIEW, June 1956, page 299.

34. This reflected closely a gain in the proportion of popular votes secured by the party's candidates, as would be expected from the P.R. system of election used in the Netherlands.

The Catholic People's party, the Labor party's chief rival for leadership within the governing coalition, also made gains, increasing its parliamentary force from 30 to 33 members after a vigorous electoral campaign. The two minor parties within the coalition, the Anti-Revolutionary and the Christian-Historical Union, both suffered losses, dropping two seats and one respectively. The largest party outside the coalition, the conservative Freedom and Democracy party, held to its previous proportion of the votes and kept its nine places in Parliament.

The Communist party was proportionally the greatest loser, winning only four seats instead of the six it gained in 1952. One still smaller group obtained two seats and three others were on the ballot but did not obtain enough votes to win any parliamentary representation. The returns are summarized in the accompanying table.

The Netherlands has been handling the problem of government without a one-

party majority by having most of the parties with substantial support work together in a governing coalition. In this coalition the different elements exert influence determined by their popular support.

ELECTION OF NETHERLANDS
SECOND CHAMBER
JUNE 13, 1956

<i>Party</i>	<i>Votes</i>	<i>Per- centage of Votes</i>	<i>Seats*</i>
Labor	1,871,990	32.7	34
Catholic People's	1,815,242	31.7	33
Anti- Revolu- tionary	567,517	9.9	10
Christian- Historical	482,848	8.4	8
Freedom and Democracy	502,325	8.8	9
Communist	272,167	4.7	4
Political Reform	129,512	2.3	2
Others	86,224	1.5	—
	5,727,825	100.0	100

* Since the total number of seats is 100, the number won may be directly compared with the percentage of popular vote.

Taxation and Finance

. . . Edited by Wade S. Smith

In Rem Foreclosures in Supreme Court

Two Suits Question Use of System in Certain Cases

VALIDITY of procedural aspects of the foreclosure of tax liens by actions *in rem* in the state of New York has been called in question by two cases, one already ruled on and the other pending before the Supreme Court of the United States. In one, property of a legally incompetent person was involved and, in the other, property the taxes on which were not paid by reason of failure on the part of an employee of the owner.

Tax lien foreclosure proceedings *in rem* (i.e., by action against the property) were developed to overcome the expense, delays and uncertain titles frequently resulting from use of the older method of proceedings *in personam* (i.e., by action directed against the owner of the property in person). A distinguishing feature of *in rem* actions is the serving of notice that foreclosure is impending by mail and by publication. This not only overcomes the difficulties and expense of serving notice personally on owners but permits the consolidation of actions with consequent economies which are very substantial. Property tax lien foreclosure by the *in rem* process is provided in the National Municipal League's *Model Real Property Tax Collection Law* and is permitted by the laws of New York, New Jersey, Missouri, Florida, Illinois, Nebraska, Maryland and Wisconsin.

The New York case involving an incompetent person is *Covey vs. Town of Somers*, heard by the U. S. Supreme Court on appeal from the New York State Court of Appeals, which had upheld the validity of the foreclosure. The

United States Supreme Court reversed the lower court and remanded the cause under terms which appear to invalidate the proceedings as to the specific circumstances involved.

As stated in the Supreme Court's decision, the property owner (Covey was the legal guardian) was a long-time resident of the town of Somers (located in Westchester County), the owner of a number of parcels of real property and admittedly incapable of handling her affairs with ordinary prudence. The foreclosure proceedings were started on May 8, 1952, judgment of foreclosure was entered on September 8, 1952, and deed was delivered to the town on October 24, 1952. Five days later, on October 29, 1952, the property owner was certified by the county court as a person of unsound mind and committed to a state hospital. Notice was served in the usual way—by mail to the taxpayer's address, by publication in two local newspapers and by posting at the post office.

The legal guardian, Covey, was qualified pursuant to court order on February 13, 1953, and thereafter instituted action to have the default in tax payment reopened, the judgment of foreclosure vacated and the deed set aside, alleging that the taxpayer was known to the town officials to be mentally incompetent, that no guardian was appointed until after the foreclosure and that the notice given, although in compliance with the statute, was inadequate in the case of a known incompetent. The U. S. Supreme Court agreed.

The other case involved income-producing property in the City of New York, foreclosed by the city for non-payment of less than \$1,000 of water taxes on a parcel assessed for over \$50,000. According to the records in this case, the taxpayer had provided a trusted

employee with the money to pay the tax when due. The employee actually failed to make the payment and in due course the property tax was included in the delinquent list and the lien foreclosed. The foreclosure came to the attention of the taxpayer after it had been accomplished and an action was begun to open the default. (*Nelson vs. City of New York*.) The foreclosure was upheld by the state courts, and the case is now pending on appeal before the United States Supreme Court.

The two cases touch at the most troublesome aspect of *in rem* proceedings—how to provide adequate safeguards for really meritorious cases and at the same time retain the simplicity of the proceedings. Aside from whatever legal features are involved, it appears to the layman that in each case it was not the *in rem* proceedings as such which were most at fault but in the one case the failure of public officials to protect a known incompetent by appropriate action under other statutes and in the other the failure of taxpayer to secure from her employee the usual documentary proof that the water taxes had been paid.

In the Nelson case the New York Court of Appeals is stated to have indicated that legislation was necessary to permit persons to redeem foreclosed property under certain conditions, and the New York State Conference of Mayors and the associations of town and county officials have the matter under study. Under the Somers case, notices not only to incompetents but also to infants and perhaps to minors might similarly be called in question.

City Revenues, Debt and Expenses Increase

American cities followed the lead of businesses and individuals in 1955 and did better and better in terms of revenues, expenditures and debt. For the 481

cities of 25,000 population and over, total revenues were up 6.5 per cent over 1954 to reach \$8,019,000,000, total expenditures rose by the same percentage to \$8,363,000,000, and gross long-term debt increased 9.0 per cent to \$12,586,000,000. These figures were all-time highs, as reported by the Census Bureau's Governments Division.¹

All these figures include those of municipal proprietary enterprises. For general government alone, revenues in 1955 were \$6,374,000,000, while general government borrowings amounted to an additional \$1,324,000,000. Expenditures, excluding capital outlays, were \$5,677,000,000, of which \$209,000,000 was interest and \$615,000,000 was debt redemption, while general government capital outlays amounted to \$1,462,000,000.

Public service enterprises—water, electric, gas, transit and, in a few instances municipal liquor stores—had revenues in 1955 of \$1,362,000,000 and borrowings of \$336,000,000. Expenditures for current operation were \$848,000,000 and for capital outlays were \$576,000,000. Interest on the enterprise debt was \$128,000,000 and debt repayment was \$152,000,000, both included in current expense here cited.

Long-term debt of the 481 cities at the end of their 1955 fiscal years totaled \$12,586,000,000, roundly \$3,500,000,000 higher than in 1950. Of the 1955 total, \$9,472,000,000 was full faith and credit debt of the cities and \$3,114,000,000 was so-called non-guaranteed debt (revenue bonds and special assessment debt payable solely from assessments).

The public service enterprises accounted for approximately one-third of the total city long-term debt, or \$4,461,000,000. Of this total, \$3,074,000,000 was

¹ *Summary of City Government Finances in 1955*. U. S. Department of Commerce, Bureau of the Census, Governments Division. Washington, D. C. July 16, 1956.

full faith and credit debt and \$1,387,000,-000 was non-guaranteed debt. Water systems had a long-term debt of \$2,392,-000,000, of which \$752,000,000 was non-guaranteed, while for the electric systems the total long-term debt was \$645,000,000, of which \$595,000,000 was non-guaranteed. Transit system debt exceeded that for electric systems, reflecting the large obligation for the New York City subways; the national city total for transit long-term debt was \$1,405,000,000, of which \$1,323,000,000 was New York City debt. All of New York's transit debt was a full faith and credit obligation, but of the obligation of other cities \$39,000,000 was full faith and credit and \$32,000,000 was non-guaranteed.

New city long-term borrowing for all purposes in 1955 amounted to \$1,627,000,-000, of which \$13,000,000 was for refunding and the remainder for capital purposes. Long-term debt retired totaled \$678,000,000.



Cartoon by Henry Boltinoff
From *Christian Science Monitor*
"They're always thinking up new ways to
make money at City Hall!"

The year 1955 was the third successive year in which city full faith and credit debt increased less than non-guaranteed debt. According to the Census Bureau's figures, more than half the \$3,563,000,-000 increase in city long-term debt in the last five years is accounted for by non-guaranteed debt. The non-guaranteed debt rose from \$1,283,000,000 in 1950 to \$3,114,000,000, or by nearly 150 per cent, while the full faith and credit debt increased less than one-fourth, or from \$7,740,000,000 to \$9,472,000,000.

COUNTY AND TOWNSHIP

(Continued from page 398)

the commission was backed by spokesmen for the Suffolk League of Women Voters, Suffolk Village Officials Association, and the Suffolk Bar Association.

Seek Zoning Powers for Rural Townships

The Illinois Association of Supervisors and County Commissioners has urged the broadening of state laws to permit rural townships to enact zoning regulations to control residential and industrial expansion. Illinois townships do not have zoning powers although counties do.

A joint conference of county and township officials was proposed to develop recommendations for the 1957 session of the General Assembly. The chief complaint of some townships is that they are without protection in instances when counties are slow in meeting zoning problems arising from such developments as trailer camps, industrial expansion and uncontrolled urban growth.

There is some question whether or not this expansion of the powers of townships would be possible without a constitutional amendment.

Citizen Action Edited by Elsie S. Parker

Exploding the Civic Lethargy Myth

Young Executives Tackle Capital Budget Problems

A BRIEF experiment, set up to determine how a group of younger businessmen would respond to a short exposure to civic problems, has paid dividends to civic groups in Philadelphia.

Each year the Citizens' Council on City Planning, a Philadelphia civic agency interested in various phases of city planning, undertakes an item-by-item review of the city's capital budget and capital program. A detailed review of a one-year financial plan, usually in the magnitude of about \$60,000,000, and a six-year capital program of over \$350,000,000 is a costly project. Therefore, a request for financial aid for the 1955 project was made to the Greater Philadelphia Movement, an agency which has in a few cases financed important fact-finding work of other Philadelphia civic groups. This request was approved subject to a condition: GPM, it was agreed, would appoint an Ad Hoc Committee to review, as its agent, the work of the Citizens' Council and to act on its report.

One of the stated purposes of "The Ad Hoc," as the new group soon was called, was "to help broaden civic interest in the Philadelphia community." Corporation presidents and senior partners of law firms made nominations for the committee which was, as planned, composed of younger executives, university staff and attorneys, who by general background might develop a special interest in city planning and municipal finance.

None of the eleven members of the committee had previously participated

actively in civic affairs. Some observers were frankly pessimistic about the whole experiment.

In the latter part of June 1955, the Greater Philadelphia Movement's special group of eleven young men forming the "Ad Hoc Committee on Capital Budget Priority" met for the first time. This first meeting was entirely educational in nature. Philadelphia's complex capital budget process was described as a series of six basic steps involving: (1) capital project proposals from operating departments, (2) review of proposals by Finance Department, (3) further review of proposals and preparation of capital budget and program by City Planning Commission, (4) mayor's review and recommendations, (5) city council's public hearings and enactment of capital budget and program ordinances, and (6) implementation by departments.

Less than a month later "The Ad Hoc" met again—this time to get down to business.

The second meeting elected two co-chairmen to preside, in turn, over the remaining meetings. A preliminary report of the Citizens' Council was up for review. Committee members already began to exhibit a comprehension of the city's capital budget process by suggesting alterations and improvements in the report. However, the success of the experiment was still in doubt.

This second meeting was too early to determine whether interest could be sustained and contributions to the effectiveness of the final report realized through the device of the Ad Hoc Committee. If attendance is a criterion, the second meeting was a success despite the fact that it was held in the middle of the vacation season. Eight of the eleven members attended.

At the end of the meeting the commit-

tee authorized the forwarding of a preliminary report to the Philadelphia City Planning Commission and decided to invite the commission's executive director to meet with it in early September.

In this meeting two points were made: the "impact" of Philadelphia's civic groups on planning policy and the importance of considering the capital program (the long-range six-year improvement plan) as well as the capital budget (the one-year authorization for capital projects).

Also, by this time an official reply to the preliminary report had been received. As might be expected, areas of both agreement and disagreement were indicated between the recommendations of the civic groups and the views of the City Planning Commission. However, the type of detailed response received contained ample evidence of the fact that the report had received careful review and consideration.

Shortly after the September meeting the mayor of Philadelphia requested an advance copy of the Citizens' Council's findings. A quick check with the co-chairmen of the Ad Hoc Committee authorized its prompt transmittal. The mayor, in a letter to the co-chairmen, wrote:

It was extremely helpful to receive the careful review of the capital budget and capital program just at the time I was intensively engaged in preparing my recommendation to City Council. . . . Your assistance in the capital program and capital budget analysis is deeply appreciated.

At the final meeting of "The Ad Hoc," the 40-page draft of the final report was up for full review. For the first time, committee members began to express opinions with real assurance and made it clear that they would not be content to serve as "rubber stamps." Priorities assigned to individual projects were subjected to thorough discussion. For

example, questions were raised about proposed alterations to Philadelphia's main library, even though there exists a long range objective of having the library relocated. A number of significant changes were suggested and made in the report before the committee approved it.

To test the effectiveness of this experiment in broadening civic activity, two follow-ups were made.

A questionnaire, carefully designed and checked by an advertising agency experienced in market research techniques, was sent to each member of the committee.

Every member (except one who did not respond to the questionnaire at all) stated that he would be willing to serve on the committee a second year. Each felt that the committee had engaged in a proper civic activity and that its work was "moderately helpful" to other interested groups.

Meetings Interesting

Most members found the meetings "very interesting," some marked "moderately interesting," and none marked the space after "dull." Most members thought the meetings were "too infrequent," and all felt that their service on the committee left them better equipped for "civic activity involving municipal operations." A few felt that the work of the Ad Hoc Committee would have "slight influence on municipal policy"; most believed it would have "considerable influence."

Narrative portions of the questionnaire were frequently more revealing than the checked answers. Lack of time between receipt of material and meetings was cited as a shortcoming. "Lack of experience" on the part of committee members was noted as a problem.

One member wrote, "I have a feeling that the Ad Hoc Committee was just beginning to find out what was going on at the final meeting." Some felt they

should have visited some of the sites of the proposed projects.

Yet, despite the criticisms, committee members completed the experience clearly with the attitude that they had undertaken an interesting, worthwhile and fruitful activity. All recognized that they had not been engaged in "made work."

The experiment was not continued in 1956. Instead, the Citizens' Council on City Planning invited each member to serve on its Public Improvements Committee which has major responsibility for developing the agency's recommendations on capital budget proposals each year. *Every one of the members of "The Ad Hoc" accepted the invitation.*

Aaron Levine, executive director of the Citizens' Council on City Planning recently wrote:

The former members of the GPM ad hoc group not only volunteered to work on our subcommittees, but, in some cases, volunteered to serve as chairmen. They have spent many hours reviewing the projects and frequently have visited the sites to inspect the operations at first hand. This has resulted in a more intensive review of the capital program requests and has enabled us to benefit from the views of banking and investment representatives—a field in which we had not been too well represented heretofore.

In fact, four of the eleven subcommittees are chaired by former members of "The Ad Hoc," and former members serve on all but one of the groups.

What does this experiment seem to suggest? The hard-pressed, older "war horses" of volunteer municipal civic activity are still needed—their experience, know-how and leadership cannot be replaced. There is, however, if this experiment has validity, a large untapped civic resource in the young men of America's great industrial, commercial and professional organizations. In 1956, there are eleven young men in Philadelphia hard at

work on civic affairs who were unknown to this kind of volunteer public service in 1954. As long as America keeps producing these kinds of men with inquiring minds and an interest in public affairs, one of the essentials of democracy is being achieved. The experiment clearly suggests broader applications.

WILLIAM H. WILCOX
Executive Director

Greater Philadelphia Movement

Memphis League Organizes

"Memphis Has It at Last—A Good Government League!" headlines the *Memphis Press-Scimitar* in reporting on the organization meeting of the Good Local Government League in Memphis and Shelby County, Tennessee. It should be "a force for good in this community from here on out," Mayor Edmund Or-gill told those present. The mayor, chosen last November on a good government ticket, has long been interested in the formation of such a group.

Objective of the league is "sound and representative government responsive to citizens' needs and obtained by education of the citizenry." It will "recommend and support candidates for public office on a local level whose qualifications, upon examination, shall be found to be in accord with the principles of this organization."

The 250 persons present chose 26 members of a board of directors which will ultimately number 51. Lucius E. Burch, Jr., was nominated as temporary chairman and a new constitution was adopted.

Membership in the new organization is open to all who subscribe to its purposes.

Citizenship Clearing House Gets Ford Million

The Ford Foundation has made available \$975,000 over a five-year period to the Citizenship Clearing House of New York University. The money will enable

the national organization to further its program of encouraging talented college men and women to become active in public affairs and politics.

According to an announcement issued by the Clearing House, much of the grant will go to 24 state and regional affiliates now operating throughout the country. These affiliates are located at leading educational institutions, each of which enlists the cooperation of other colleges and universities in the area. Currently, 400 colleges and universities are taking part in the organization's Clearing House activities.

Affiliates will expand their efforts to increase the political awareness of college students by: (1) initiating statewide and regional conferences involving political leaders, (2) providing for an exchange of information on political science teaching techniques and materials among colleges and universities; (3) inviting political party officials and public officeholders to become active in the organization and help instill in the students a realistic understanding of political processes, (4) developing political unions on the campus for the discussion of current issues, and (5) initiating a program through which the interested student could serve an "internship" in the political party of his choice.

The national office of the Citizenship Clearing House, located in the Law Center of New York University, will conduct workshops for the younger teachers of political science. Faculties for these workshops will consist of senior teachers and national, state and local leaders of the two major parties. In addition, the national office will prepare and distribute teaching aids in the field.

TV, Radio Stations to Get Awards for 'Serving Youth'

The Thomas Alva Edison Foundation has announced the second year of the "National Station Awards for Serving

60th Anniversary

December 5, 1956, marks the 60th anniversary of the organization of the Citizens League of Greater Cleveland, one of the oldest citizen action agencies in the country. Edwin L. Andrew, chairman of the board of Fuller & Smith & Ross, has been appointed chairman of the committee which will make plans for celebrating the event.

Youth." These awards are to go to the local television station and the local radio station that best served youth in their communities. Each award will be a scroll recognizing the winning television or radio station as a recipient and an Edison scholarship of \$1,000 to be used toward college education. Each station, under the terms of the prize, will award this Edison scholarship to a high school senior in the community who has been selected as meriting it by an appropriate committee of local school officials.

Deadline for submitting nominations is November 1, 1956. Nominations should be sent to the Thomas Alva Edison Foundation, 8 West 40th Street, New York 18.

N. Y. Development Group

The Chamber of Commerce of New York has formed a 55-member committee of business and professional leaders to plan redevelopment of housing, shopping and traffic facilities in the lower part of Manhattan. Chairman of the group, to be called the New York Chamber of Commerce Committee on Lower Manhattan Redevelopment, is David Rockefeller, executive vice president of the Chase Manhattan Bank. Said Mr. Rockefeller, "Our committee will attempt to develop and present to the city intelligent, in-

tegrated proposals relating to specific problems in the area."

Personnel Council

The Council on Government Personnel represents an unusual cooperative effort among civic groups in Illinois, according to the Taxpayers' Federation of Illinois, one of the 29 groups composing it. Purpose of the council is "to awaken the various citizen organizations and the people as a whole to the tremendous importance of proper personnel practices for efficient government." It was active in securing the passage of the state's 1955 personnel code making sweeping changes in state government personnel administration and civil service.¹ Edward M. Martin, civic affairs secretary of the Chicago Union League Club, is chairman. The council has been assisting the Advisory Board to the new State Department of Personnel in its search for a qualified director of personnel. Among the member organizations are the League of Women Voters of Illinois, University of Illinois' Institute of Government and Public Affairs, Illinois State Chamber of Commerce, Illinois Federation of Women's Clubs, Chicago Civic Federation, and the Citizens' Civil Service Association of Illinois.

Public Apathy

Public Management, issued by the International City Managers' Association, reports that:

"An opinion survey, conducted by the Los Angeles city government to determine why voters had rejected a large number of public improvement bond issues, revealed that a large percentage of citizens were uninformed or unaware of municipal activities. More than one-half of the persons questioned owned homes in the city and only 4 per cent

had lived in the city for less than a year. Fifteen per cent of those surveyed did not know the name of the mayor and 70 per cent did not know the name of their councilmen. Sixty per cent did not know what a bond issue was and approximately one-half of the citizens did not know if the city had a cigarette tax or if the city or county issued marriage licenses. More than half of the persons surveyed did not know the location of the city's main library."

Strictly Personal

The board of trustees of the Municipal League of Seattle and King County has elected Harold S. Shefelman as its new president. Mr. Shefelman succeeds Pendleton Miller, who remains on the board of trustees as immediate past president.

Returning to the University of Washington after a leave of absence, Professor Hugh A. Bone has resumed the directorship of the Washington State-Northern Idaho Citizenship Clearing House. Three new affiliates have joined the Clearing House—Gonzaga University, Whitworth College and Eastern Washington College of Education.

The Citizens' Plan "E" Association of Worcester, Massachusetts, has appointed James H. Finneran as its executive director. He replaces Mrs. Richard B. Wolf who has been serving in a temporary capacity.

The Civic Club of Allegheny County, Pennsylvania, has elected Fred E. Schuchman, prominent Pittsburgh businessman, as its president. This is a return engagement for Mr. Schuchman; he served in the same capacity from 1946 through 1948.

Peter W. Swenty has been appointed executive secretary of the Hamilton County (Ohio) Good Government League. Mr. Swenty is a member of the Ohio State Bar Association.

¹ See the REVIEW, September 1955, page 423.

Extensive Voting Data Published

New Volume Contains 150,000 Election Items

THE FIRST volume in a progressive series of nation-wide election statistics has recently been published by the Governmental Affairs Institute under the editorship of Richard M. Scammon. The work assembles more detailed and official statistics of American elections than ever before collected for any period, and for the first time in one volume.

*America Votes, A Handbook of Contemporary American Election Statistics*¹ contains a record tabulation of 150,000 items in its 421 pages. The project, financed by a grant from the Edgar B. Stern Family Foundation of New Orleans, will make it possible for researchers and others to secure election data in one volume that hitherto could be found only in part in the equivalent of a reference library.

Writing in the *New York Times*, Arthur Krock described the volume:

"Except for the detail of the Los Angeles County vote for president and for senator in 1952, the book brings together these official voting statistics:

"For president, governor and United States senator in each of the post-war elections, county by county, and for members of the House of Representatives by congressional district,

"A breakdown by wards and by election districts in cities with a population of 500,000 or over.

"The separate population statistics of each voting unit listed, the total vote cast, the percentage of this for each of the two

major parties, the winning pluralities, and the Democratic and Republican shares by percentages of the vote cast for candidates of these two parties only.

"In addition there are maps of all the states (divided respectively into counties and congressional districts) and of sixteen major cities by wards or assembly districts; lists of incumbent governors and members of Congress; and a breakdown of major party representation in all the state legislatures.

"The book is the first of a progressive series to be published every two years. In his preface Editor Scammon states that he is considering the inclusion of two more breakdowns for the 1958 issue. These would be the vote for Congress in the geographic subdivisions of each district and the presidential vote in each district as a whole. Perhaps, if the work is greeted with the enthusiasm it merits, the institute also may assemble significant statistics for a period before 1946.

"Until *America Votes* was compiled, the only 'official' tabulation of figures in presidential and congressional elections was that made biennially by the Clerk of the House of Representatives. But in this there is no county breakdown of the voting for president and for senator, and none for cities over 500,000 population. When official votes for governors have been sought, it was necessary to hunt down state documents that are scattered throughout the union.

"The meticulous detail of this book is also illustrated by the fact that when congressional districts have been altered by reapportionment since 1946 that change is registered in the tabulation."

A special committee that advised the institute in the compilation was composed of Mr. Krock, Professor V. O. Key, Jr., of Harvard University, Allen Manvel of the U. S. Bureau of the Census, and Dr. George Gallup of the American

¹ The Macmillan Company, New York. \$12.50.

Institute of Public Opinion and president of the National Municipal League.

Plans for Governments Census Announced

Allen D. Manvel, chief of the Governments Division of the U. S. Bureau of the Census, recently outlined the scope of the 1957 census of local government in a speech before the June meeting of the Municipal Finance Officers Association in Washington. Appropriations for the census were approved by the Congress before adjournment. In part, he said:

"By the extended coverage of the 1957 Census of Governments there will be made available comparative figures for a considerably larger number and variety of local governments than are individually reported on an annual basis—that is, in addition to the states and the municipalities of over 25,000, all county governments, municipalities down to a population of 2,500, and townships, school districts and special districts of equivalent size.

"Underlying these figures will be a new enumeration of local governments, bringing up to date the information which was last assembled several years ago, and supplying a reliable count and identification of all local governments in the nation, by type and by county. The 1957 Census of Governments will also develop and report data on property tax valuations, on which no nation-wide current statistics are available.

"Behind all this effort, and especially that portion which will deal with governmental revenues, expenditures and indebtedness, are the accounts, records and reports prepared by thousands of municipal finance officers throughout the nation. The prospective governmental census, like related current survey work of the Bureau of the Census, can most properly be viewed as a cooperative undertaking of local governments, the states and the national government. . . .

"The prospective census will develop, altogether, a great deal of information as to the present status of local governments and as to changes that have been occurring with respect to costs of various governmental functions, the yield of particular types of taxes, the productivity of such other revenue sources as service charges and special assessments, the complex pattern of local government in metropolitan areas, and the use of various devices and formulas for intergovernmental sharing in the cost of public services.

"On these and other matters, attitudes may well differ as to what the pattern for the future should be. But reliable statistics can at least reduce misunderstandings and differences of opinion that all too often arise from misapprehension of what present facts are, or from an exaggerated notion of trends or potentialities."

Study Local Urban Renewal Operations

A federal grant has been made to the University of California to help finance a comparative study of the ways in which local governments organize to carry out urban renewal operations.

In announcing this project, Urban Renewal Commissioner J. W. Follin said: "The findings of this study may forward immeasurably the nation's rapidly growing program for rebuilding its slums and wornout urban areas. One of the most complex problems in urban renewal is the great diversity in kinds and sizes of localities and in their forms of municipal organization. For example, the 220 communities presently receiving federal aid for slum clearance and urban renewal range from rural communities of less than 5,000 population to such vast industrial and commercial cities as New York City, Pittsburgh and Chicago, along with their suburban areas."

The University of California study, to

be carried out by its Bureau of Public Administration, will concentrate on the operating interrelations between local redevelopment and housing agencies, planning commissions and such municipal departments as building, health, fire, public works, school, recreation and welfare. Attention will also be given the problem of urban renewal organization in metropolitan areas, including an analysis of the differing patterns of renewal initiative often found between a central city and its suburbs.

Grass Roots Intergovernmental Relations Reviewed

The recently published study, *Intergovernmental Relations at the Grass Roots* by Paul N. Ylvisaker, is the seventh volume in the University of Minnesota's series on "Intergovernmental Relations in the United States" as observed in Minnesota. The 186-page study reviews the various governments and governmental functions found in one rural Minnesota county, Blue Earth County. Originally the study was undertaken for the Blue Earth County Council on Intergovernmental Relations, one of the special organizations created in the early and middle 1940s "to have an intensive study made and a demonstration program worked out in one fairly typical county in each of several states, to discover what needed to be done to improve intergovernmental relations 'at the grass roots,' and to show how the improvements could be made."

Unlike the other studies in the Minnesota series, the Ylvisaker study deals with a single county and covers most functions including agriculture, public health, highways and public finance. After reviewing these functions in separate chapters, the author concludes with three "modest proposals for action":

"1. Promote a broader perspective among citizens and public officers of the governmental process within the community, principally by improving methods

of reporting and by encouraging interaction among officials.

"2. Clear the way for intergovernmental cooperation by stressing the common interests of the system—the functions which government performs rather than its jurisdictions and prerogatives.

"3. By continued use of the grant-in-aid, and by supplementary devices of administrative reorganization, joint appointments, combined planning and consolidated reporting, work toward an integrated structure and program of government at the community level.

"In accomplishing these objectives, particular measures of reform are secondary to cooperative attitudes and the continuous application of common sense."

Kentucky Research Group Examines Constitution

The functions formerly performed by the Kentucky Constitutional Revision Commission have been assigned to the Legislative Research Commission. The latter will carry on a program of study, review and re-examination of the state constitution to determine to what extent it requires amendment or revision, to analyze and appraise suggestions for amendment or revision advanced by interested persons or groups, and to obtain public opinion on proposals for amendment or revision. In this capacity the commission will report to the legislature at each regular session and, if requested, at special sessions, to present the results of studies and recommend legislation.

The legislature has submitted to the voters a constitutional amendment to permit the legislature to propose amendments to the constitution at special sessions, to permit not more than five amendments to be submitted at one time, and to require a separate vote on each unless the legislature provides for a single vote on amendments relating to the same subject.

H.M.O.

Tri-State Regional Plan Study

Through grants from the Rockefeller and Ford Foundations, the Regional Plan Association of New York has begun a three-year study of the economic and population forces influencing the development of the New Jersey-New York-Connecticut metropolitan region.

The final report of the study, as now planned, will include a 25-year projection of the economic development and population of the region and its parts. This may be used by the government and industry in long-range planning of park facilities, schools, bridges and transportation lines, the location of office buildings, industrial plants and other public and private structures and developments.

Dean Edward S. Mason, of the School of Public Administration at Harvard University, will organize a staff to conduct the study.

Case Studies on Manager Appointments Suggested

The Inter-University Case Program has announced that it is greatly interested in having cases prepared on the role of city managers in appointment-making in small or medium-sized cities. Also cases illustrating the leadership role of city managers are needed.

The program, which has published a case book plus several individual studies, is primarily interested in cases on public administration and policy formulation for use as university teaching materials. Case proposals by working administrators would be most welcome as well as those by governmental researchers.

Other areas in which cases are badly

needed are: (1) The budget process at all governmental levels, (2) state field administration, (3) relationships with unions and employee associations, and (4) planning and redevelopment.

Further information on the program may be obtained from the staff director, Edwin A. Bock, 45 East 65th Street, New York 21.

Louisiana Fellowship Program Announced

The Public Affairs Research Council of Louisiana recently announced establishment of a graduate fellowship program at Louisiana State University. Two fellowships, in honor of the late faculty member James Kimbrough Owen will be given to candidates for master's degrees. The recipient will spend about half his time in the research division of the council in addition to undertaking his regular graduate course work.

The objectives of the PAR fellowship program are:

1. To encourage young people to enter academic programs in preparation for responsible careers in the public service;
2. To develop an awareness on the part of the public and private agencies in Louisiana of the need for well trained leadership in government administration by establishing an attractive fellowship training program which will contribute to that objective;
3. To stimulate financial support from other sources for additional fellowships which would permit development of a graduate curriculum in public administration at Louisiana State University;
4. To enable qualified students to apply, evaluate and adapt academic training in government and public administration to related work experience in a governmental research and/or administrative program.

The fellowships are not restricted to Louisiana residents.

Books in Review

Metropolitan Areas

THE STATES AND THE METROPOLITAN PROBLEM. A Report to the Governors' Conference. John C. Bollens, Director of the Study. Chicago, The Council of State Governments, 1956. x, 153 pp. Cloth-bound, \$3; Paperbound, \$2.50.

What to do about the metropolitan problem is current shop talk everywhere among local government "experts" and laymen. With more than a majority of Americans living the metro-urban way, the time is fast approaching for more action and less talk. The Council of State Governments, with John C. Bollens as director of the study, has surveyed the situation, evaluated alternative solutions and presented courses for state action. The unique and significant contribution of this report is that it has an approach, never before so fully explored, of the responsibilities of the state governments in relation to metropolitan regions.

The study opens by presenting "the problem" through census data and the multiplicity of units of local government, each with a geographical segment of the metropolitan whole under its domain. Part two spans six possible solutions: annexation, city-county consolidation, city-county separation, federation, functional transfers and joint efforts, and metropolitan special districts. From the welter of materials pertaining to individual metropolitan areas with their attendant problems, proposed solutions and actual achievements, Professor Bollens has fashioned an analysis with summary appraisals.

Most of the material is from American sources and experience although, naturally, federation in action in the Toronto area of Canada receives appropriate attention. Over the decades, American solutions have been divergent and less embracing of metropolitan functions than federation.

The document stays close to the facts

and trends and is guarded and balanced in evaluation. In the over-all review presented in Part Two, readers will find clarity and objectivity. While there is nothing particularly novel in this survey of solutions, it is well done, comprehensive and authoritative.

Part Three is a call to action and a thoughtful presentation of the ways in which state governments could and should go forward in meeting their responsibilities to metropolitan areas. The first suggestion relates to state action in providing legal authorizations for the creation of metropolitan units, especially the multi-purpose metropolitan district, federation and "urban county." States are advised to review alternative methods of putting any selected type or types of metropolitan units into effect. Other recommendations pertain to such procedures as annexation and to state appraisals of adequacy of local governmental units.

Finally, it is recommended that a state create an official agency to study and evaluate metropolitan and local conditions with a view to remedial and preventive programs. It is in spelling out the responsibilities of the states to act, and how to act, that this report makes the most original contribution to the current literature on metropolitan areas. The expressed hope of Frank Bane, executive director of the Council of State Governments, that this study prove valuable to governors, legislators and local officials, will surely be fulfilled.

ARTHUR W. BROMAGE
University of Michigan

Congress and Parliament

CONGRESS AND PARLIAMENT: THEIR ORGANIZATION AND OPERATION IN THE U. S. AND THE U. K. By George B. Galloway. Washington, D. C., National Planning Association, 1956. ix, 105 pp. \$1.50.

To further its long-standing interest in

the organization and operation of Congress, the National Planning Association arranged with George B. Galloway, staff specialist of the Library of Congress, to make a comparative survey of American and British parliamentary practices. With the financial aid of the Ford Foundation, Dr. Galloway spent some time in Great Britain reviewing recent parliamentary methods.

The current pamphlet embodies the salient features of this review, illuminated by the author's intimate knowledge of the workings of Congress. The result is an interesting and useful comparison of American and British legislative methods, dealing with committee structure, legislative programming, investigations and leadership, party organization, control of the administration and second chambers.

Some significant conclusions are drawn from the study looking toward the improvement of congressional methods. These relate mainly to the establishment of effective leadership in Congress, a better approach to policy determinations, recovery of legislative control over the investigative processes, reduction of unlimited and irrelevant debate, speeding up of legislative work, and strengthening congressional control over administrative methods and expenditures. The author contends that these changes are highly desirable if Congress is not eventually to be overwhelmed by the volume and complexity of public business.

A. E. BUCK

Philadelphia

PHILADELPHIA GOVERNMENT 1956. By Edwin Rothman, Edgar Rosenthal, Emma L. Bowman and Leigh B. Hebb. Philadelphia, Bureau of Municipal Research and Pennsylvania Economy League (Eastern Division), 1956. xii, 365 pp. \$2.50.

This volume is an unusually comprehensive description of a city's government. The book is a successor to the

manual of organization published by the Bureau of Municipal Research in 1932 and 1949.

The text is divided into four parts. The first describes the history of local government in Philadelphia—the courts, court agencies, political parties and elections. The second part describes the services rendered by the city, and the third, how these services are financed. The concluding part is concerned with a description of the staff agencies. The descriptive material is factual and does not attempt to be critical.

The volume covers not only the city government and the courts but also school district organization and the five special purpose agencies operating in Philadelphia—the Airports Improvement Authority, the Housing Authority, the Parking Authority, the Redevelopment Authority and the Delaware River Port Authority. S.K.G.

Additional Books and Pamphlets

Accounting

ACCOUNTING GUIDE FOR SMALL LOUISIANA MUNICIPALITIES. Edited by Robert L. Kvam. Baton Rouge, Louisiana State University, College of Commerce, Division of Research, *Louisiana Business Bulletin*, March 1956. 56 pp.

Air Pollution

SURVEY OF AIR POLLUTION RESEARCH PROJECTS BY FEDERAL, STATE, LOCAL AND PRIVATE AGENCIES. Los Angeles 13, Los Angeles County Air Pollution Control District, 1956. 29 pp.

WHAT IS BEING DONE ABOUT SMOG. A Report to the People. Los Angeles 13, Air Pollution Control District, 1956. 14 pp.

Budgeting

CITY OF SAN ANTONIO BUDGET MANUAL. Fiscal Year 1956-57. San Antonio, Texas, City Manager, 1956. Various pages.

PERFORMANCE BUDGETING FOR HOSPITALS AND HEALTH DEPARTMENTS. By Daniel Klepak. Chicago 37, Municipal Finance Officers Association of the United States and Canada, June 1, 1956. 12 pp. \$1.00.

Civil Defense

CIVIL DEFENSE INSTRUCTOR'S COURSE. By Federal Civil Defense Administration. Washington 25, D. C., Superintendent of Documents, U. S. Government Printing Office, 1956. 44 pp. 30 cents.

Debt

BIDDING ON A MULTIPLE ISSUE MUNICIPAL BOND OFFERING. Chicago 37, Municipal Finance Officers Association of the United States and Canada, July 16, 1956. 4 pp. 50 cents.

DIRECTORY OF MUNICIPAL BOND DEALERS OF THE UNITED STATES. New York 4, *The Bond Buyer*, 1956. 426 pp. Trade price, \$2.00; others, \$5.00.

Education

REPORT ON THE CONCLUSIONS OF THE MINNESOTA AND WHITE HOUSE CONFERENCES ON EDUCATION WITH COMMENTS ON APPLICATION TO MINNESOTA. St. Paul, Minnesota Institute of Governmental Research, Inc., 1956. 11 pp.

Elections and Voting

HOW TO GET PEOPLE TO REGISTER AND VOTE. A Working Manual of Proved Techniques for All Types of Elections. New York 36, The American Heritage Foundation, 1956. 44 pp. 35 cents. (Discounts on quantity orders.)

Flood Control

FLOOD CONTROL DISTRICTS IN ALASKA. Juneau, Alaska Legislative Council, 1956. 33 pp.

Housing

1955 RELOCATION IN CHICAGO. Chicago 2, Housing and Redevelopment Coordinator, 1956. 12 pp.

Juvenile Court

KANSAS JUVENILE COURT STATISTICS 1955. By Don M. Pilcher and Dean H.

Kerkman. Lawrence, University of Kansas, Bureau of Child Research, 1956. 40 pp.

Labor-Management Relations

PROGRESS IN LABOR-MANAGEMENT RELATIONS. New York 36, American Management Association, 1956. 68 pp. \$1.75.

Legislation

GENERAL ASSEMBLY ACTION. Regular Session, 1956. A Staff Summary of Legislative Enactments. Frankfort, Kentucky Legislative Research Commission, 1956. 36 pp.

Legislative Bodies

LENGTH OF LEGISLATIVE TERMS. Springfield, Illinois Legislative Council, 1955. 19 pp.

Liquor Regulations

LIQUOR LICENSING AND REGULATION IN ALASKA. Juneau, Alaska Legislative Council, 1956. 47 pp.

Lobbying

CONGRESSIONAL INVESTIGATION OF LOBBYING. A Selected Bibliography. By Dorothy C. Tompkins. Berkeley, University of California, Bureau of Public Administration, 1956. 34 pp. \$1.00.

Management

THE LOAD ON TOP MANAGEMENT—CAN IT BE REDUCED? By L. Urwick. London, Urwick, Orr & Partners Ltd., 1954. 51 pp. 2s.

Mental Health

MENTAL HEALTH PLANNING FOR SOCIAL ACTION. How to Make the Most of Our Knowledge and Facilities for Promoting Better Mental Health. By George S. Stevenson. New York, McGraw-Hill Book Company, 1956. x, 358 pp. \$6.50.

Metropolitan Areas

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Group of authorities discussing ways and means of approaching the problem of improving state constitutions is shown in top photo.

Middle photo was taken during presentation of a report by a special committee of the Municipal Law Section of the American Bar Association on the preparation of a model revenue bond law.

Bottom photo is of students and educators from Mt. Holyoke, Amherst and Wesleyan, with Dr. E. E. Schattschneider, president-elect of the American Political Science Association (center, facing camera), presiding.



Discussions Held in Osborn Room

The Osborn Room in the Carl H. Pforzheimer Building, League headquarters, is proving a popular meeting place for groups coping with problems of state and local government. In a one-week period in July three different groups met with members of the League's staff.

The first group discussed plans for a proposed broad study of state constitutional improvement. Participants, in addition to staff members, were Paul David, Brookings; Bennett M. Rich, Rutgers; Edwin Bock, Inter-University Case Program; Charlton F. Chute, Institute of Public Administration; George H. Hallett, Jr., Citizens Union of New York, and John Kernochan, Columbia University Legislative Drafting Fund.

Students and faculty from Mt. Holyoke, Amherst and Wesleyan met to report on summer research projects. Faculty members were E. E. Schattschneider, Wesleyan; Victoria Schuck, Mt. Holyoke; and Kermit Morrissey, Amherst.

Research techniques and needed data on legislative apportionment were reviewed at a meeting with Roy V. Peel, chairman, political science department, University of Utah; Gus Tyler, International Ladies' Garment Workers' Union, author of studies on the subject; and Charlton F. Chute.

An earlier meeting on the need for a model revenue bond law brought Joseph Guandolo and Russell McInness of the Municipal Law Section of the American Bar Association, Frederick L. Bird of Dun & Bradstreet, William F. Larsen of New York University, and John Kernochan.



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